

JACKSONIAN DEMOCRACY AND THE ELECTORAL COLLEGE:
POLITICS AND REFORM IN THE METHOD OF SELECTING
PRESIDENTIAL ELECTORS, 1824-1833

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The Electoral College and Jacksonian Democracy are two subjects that have been studied extensively. Taken together, however, little has been written on how the method of choosing presidential electors during the Age of Jackson changed. Although many historians have written on the development of political parties and the increase in voter participation during this time, none have focused on how politicians sought to use the method of selecting electors to further party development in the country. Between 1824 and 1832 twelve states changed their methods of choosing electors. In almost every case, the reason for changing methods was largely political but was promoted in terms of advancing democracy. A careful study of the movement toward selecting electors on a general ticket shows that political considerations in terms of party and/or state power were much more important than promoting democratic ideals. Despite the presence of a few true reformers who consistently pushed for a constitutional amendment guaranteeing that all states used the same method, the conclusion must be that politics and party demanded a change.

This study relies heavily on legislative records at both the state and national level and newspapers throughout the country from the period. Beginning with a brief history of the office of the president and an overview of the presidential elections prior to 1824,

the author then carefully analyzes the elections of 1824, 1828, and 1832, as well as the various efforts to amend the constitutional provisions dealing with the Electoral College. Particular emphasis is placed on political factions at the state level, the development of the Democratic and National Republican parties nationally, and how each party used and at time manipulated the electoral process to secure a favorable outcome for their candidates.

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CHAPTER 1

INTRODUCTION

The United States, according to historian Richard Morris, has always had a “president.” Beginning with the first meeting of the First Continental Congress to the present, someone has always occupied that office. The powers of the chief executive, though, changed remarkably from that meeting in 1774 when the Congress elected Peyton Randolph of Virginia to preside over the First Continental Congress to the election of George Washington as the first president under the Constitution. Between 1774 and 1789, the president served with the consent of the Congress – whether it was the First Continental, Second Continental, or Confederation – and his powers tended to be subordinate to the legislative will. He was not, however, merely a figurehead. Because the president was also a delegate, he voted and sat on committees. He was also responsible for answering any correspondence sent to the Congress and for communicating with state governors, military commanders, and diplomats. In addition, Congress issued any resolutions it drafted under his name. According to Morris, this made him the chief administrator of the country. Finally, as president, he presided over state dinners and entertained any foreign dignitaries visiting the country. Fearing too much concentration of executive power, the congresses, especially the Confederation Congress, strictly limited the president’s powers to these functions. Indeed, the Articles of Confederation actually specified that no president should serve a term of more than

one year during his elected three-year term as a delegate. Despite these limitations, the president of the Congress could exert a certain amount of leadership because he set the congressional agenda.¹

During the six years following the Revolutionary War, the country suffered from a variety of ills, mainly due to rapid inflation and restrictions on trading with Britain and its colonies. The citizenry, faced with rising taxes, foreclosures on homes and farms, and increasing unemployment, sought help from the national government. The nature of the Articles, though, limited the amount of aid the government could give. Fearing a strong central government, the men who drafted the Articles of Confederation did not give Congress the power or the authority to execute sound foreign policies or create a stable financial system throughout the country. Indeed, the national government did not have the power to levy taxes. The president was of little help because the creation of new executive departments, beginning in 1781, eroded what little leadership he had. Congress divided presidential duties, such as answering congressional correspondence and drafting resolutions, among various departments heads or secretaries. Executive authority, what little there was, rested in committees, most notably the Committee on Foreign Affairs, the Marine Committee, the Committee on Finance, and the Board of War. In essence, there was no one person responsible for formulating or implementing policy. Matters grew worse as the committees multiplied – the highest number reached was ninety-one – and their duties and responsibilities began to overlap. After the debacle of Shays' Rebellion

¹ Richard B. Morris, The Forging of the Union, 1781-1789 (New York: Harper & Row, 1987), 99-101; Alfred H. Kelly and Winfred A. Harbison, The American Constitution: Its Origins and Development, 5th ed. (New York: W.W. Norton, 1976), 96.

in Massachusetts, when Revolutionary War veterans led a group of disgruntled farmers against the state's militia in protest of rising economic confusion, advocates of reform throughout the country called for a convention to address these problems before the newly independent country fell apart.²

In May 1787, delegates from every state in the Union – except Rhode Island – met in Philadelphia to create a more efficient form of government than that which existed under the Articles of Confederation. The written constitution that emerged from the meetings at Independence Hall resulted from a series of compromises agreed to after four months of deliberation. The most serious disputes revolved around the relationship between liberty and power, the issue of representation in the legislative branch of the national government, and the nature and powers of the chief executive. The struggle among the delegates involved not only the balance between national power and individual rights, but also the balance of power between the national government and the states and the division of power between coequal branches of government. To achieve this delicate balance and avoid the tyranny of the absolute majority, the Founding Fathers created a system based on the idea of federalism – shared power between the national and

² Morris, Forging of the Union, 106; Kelly and Harbison, American Constitution, 96. For a complete discussion of the events, especially the evolution of the executive branch and the problems associated with the Confederation Congress leading up to the Constitutional Convention see Merrill Jensen, The Founding of the Nation: A History of the American Revolution (New York: Oxford University Press, 1968), Jackson Turner Main, The Sovereign States, 1775-1783 (New York: New Viewpoints, 1973), A.C. McLaughlin, The Confederation and the Constitution (New York: London Harper & Brothers, 1905), and Jennings B. Sanders, Evolution of Executive Departments of the Continental Congress, 1774-1789 (Chapel Hill: The University of North Carolina Press, 1935).

state governments – supported by a system of checks and balances to maintain shared power within the national government itself.

One of the more controversial provisions of the Constitution concerned the creation of an Electoral College whose sole duty was to elect the president of the United States. At the Convention, the discussion of the method of choosing the president revolved around ideological issues. The College was a compromise between those delegates who championed the will of the majority and believed that the people should choose the president directly and those who feared democracy, an idea they equated with the tyranny of the uninformed that would ultimately lead to chaos. The controversy surrounding the Electoral College and the various modes of choosing its members reflected the conservative and liberal, republican and democratic, philosophies that were apparent at the convention. Of paramount concern to the delegates was avoiding too much concentration of power in one man – as would happen with the more democratic, direct election of the president by the masses – and avoiding the appearance of corruption – as would happen if the president were solely dependent upon the state legislatures or congressional representatives for election. The adoption of the Electoral College solved the delegates' dilemma, but as the first political parties developed during the early 1790s, party supporters began using the electoral system at the state level to advance candidates of certain political persuasions rather than as a method of electing the most qualified candidate.

Given no direction on how to choose electors, each state in the Union was able to adopt any method it saw fit. The states commonly used three modes of selection. Some

chose to use their state legislature to pick those individuals who would officially cast the votes for president. As factions developed within local parties, political deals were consummated that led to the choice of electors loyal to competing presidential candidates. This maneuvering within and between parties caused major divisions in the assignment of electors in New York during the elections of 1808 and 1824, Delaware during 1824, and Louisiana during 1824. Another mode of selection involved popular election of electors by district. Typically, the legislature divided the state into districts, and the candidate who won that district received its vote; thus, different candidates could carry several districts and receive a proportion of the state's total electoral vote. This mode of selection was the cause of divided electoral votes from Maryland in 1804, 1808, 1818, 1824, 1828, and 1832, North Carolina in 1808, Illinois in 1824, Maine in 1828, and New York in 1828. The third method of elector selection was election on a general ticket. This ultimately became the mode in almost every state in the Union and is the most accurate indicator of the state's choice (but not necessarily the public's will), since the candidate who won the popular vote in that state won all of its electors.³

After the first two elections, which George Washington won unanimously, party advocates began to experiment with these different modes of choosing electors. Although this phenomenon took place during almost every election, the presidential campaigns in 1796 and 1800, and in 1824 and 1828, brought out a time of great activity

³ Lawrence D. Longley and Alan G. Braun, The Politics of Electoral Reform (New Haven, Conn.: Yale University Press, 1975), 45-47; John L Moore, Congressional Quarterly's Guide to U.S. Elections (Washington, D.C.: Congressional Quarterly, Inc., 1994), 350.

among state politicians. Not coincidentally, both time periods marked the rise of competitive two-party systems in American politics and saw an increase in calls for reform throughout the country. In both the 1796 and 1800 elections, the Democratic Republicans and the Federalists tried to manipulate the selection of electors in order to swing the election to their candidates. Twenty-four years later, citing corruption and disregard of the people's voice, a faction of the old Jeffersonian party supported Andrew Jackson for president instead of Secretary of State John Quincy Adams and then split from the old Democratic Republicans to form the Democratic party.

Political scientist Lucius Wilmerding, generally considered the foremost expert on the subject, briefly discusses the various methods adopted periodically by the states, but does not go into any detail about the party manipulations of selection. Instead, he focuses on the general ticket method that the states have adopted, which he argues is less democratic than the district method. Historians of the Jacksonian period – Robert Remini, Arthur Schlesinger, Jr., and James Hopkins foremost among them – all give excellent interpretations of the three presidential elections involving Andrew Jackson and the newly created Democratic party and clearly explain the most egregious examples of elector manipulation, but never specifically address, in a complete manner, the movement toward using a general ticket method of choosing electors among all the states. Another noted historian, Richard P. McCormick, gives ample information on politics at the state

level in his book The Second American Party System: Party Formation in the Jacksonian Era, but fails even to address the issue of elector selection at that level.⁴

In addition, many political scientists and activists have also studied the electoral process in hopes of either defending the current system or advocating change. Neal R. Peirce and Lawrence D. Longley, in The People's President: The Electoral College in American History and the Direct Vote Alternative, extensively study the use of electors and put forth many theories about how state voting affected the outcome, but they do not address the partisan concerns of the state legislatures. Although considered a classic on the Electoral College, it is incomplete in its assessment of the impact of party development on historical change. Longley and Alan G. Braun address this topic to some extent; however, they do not explore the reasons behind the changes that the states made prior to each election.⁵

⁴ See Lucius Wilmerding, The Electoral College (New Brunswick: Rutgers University Press, 1958), Robert V. Remini, Andrew Jackson and the Course of American Freedom (1981; reprint, Baltimore: The Johns Hopkins University Press, 1998), Arthur M. Schlesinger, Jr. and Fred L. Israel, eds. History of American Presidential Election, 1789-1968, 4 vols. (New York: McGraw Hill Book Co., 1971), and Richard P. McCormick, The Second Party System: Party Formation in the Jacksonian Era (Chapel Hill: University of North Carolina Press, 1966), among many others, for a complete look at the elections and creation of political parties between 1824 and 1832. Another excellent source for party politics in the United States during this time is Richard Hofstadter, The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780-1840 (Berkeley: University of California Press, 1969).

⁵ See Neal R. Peirce and Lawrence D. Longley, The People's President: The Electoral College in American History and the Direct Vote Alternative (New Haven, Conn.: Yale University Press, 1981) and Longley and Braun, Politics of Electoral Reform. Other useful works are Roger Lea MacBride, The American Electoral College (Caldwell, Ohio: The Caxton Printers, 1963), Wallace S. Sayre and Judith H. Parris, Voting for President: The Electoral College and the American Political System (Washington, D.C.: The Brookings Institute, 1970), and Harvey Zeidenstein, Direct Election of the President (Lexington, Mass.: D.C. Heath Co., 1973).

The lack of scholarship concerning partisan manipulation of the selection of electors at the state level represents a glaring omission in historical and political scholarship concerning the early years of the Age of Jackson. Given the extensive amount of research devoted to the emergence of the second two-party system following the debacle of the 1824 election, an in-depth study of the parties' methods and motives for change between 1824 and 1832 can add significant understanding to the concept of Jacksonian Democracy. Twelve states – Delaware, Georgia, Kentucky, New York (twice), Vermont, Tennessee, Louisiana, Indiana, Alabama, Illinois, Maine, and Missouri (twice) – changed their mode of selecting electors during this eight-year period. Interestingly, there is no pattern apparent in the way states experimented with the selection process. These states vary in geographical location, length of time in the Union, and dominant party affiliation. Since a new party was emerging, it is not surprising that political machinations at every level were used to gain the upper hand. A study of this movement throughout the country reveals the partisan political concerns of these advocates of change. Often change in the method of choosing electors did not reflect primarily ideological concerns – the rising belief in democracy attributed to the Jacksonian movement or the simple thought that the people should directly elect the president – but instead reflected the desire to advance the party at the highest levels of government. This is not to say that no politicians sincerely advocated change for democratic reasons. Indeed, in 1826 Congress hotly debated an amendment to the Constitution proposing selection of electors through statewide districts. A unique blend of desire to mend what was becoming known, rightly or wrongly, as a corrupt system and

belief in party politics brought about significant change in how the president was elected and in how both politicians and the voting public viewed the Electoral College. The corrupt system, they claimed, unresponsive to the people and abused by unscrupulous politicians, had to be changed. The consequences of the movement toward a uniform method of choosing electors were three-fold. First, it solidified and magnified party power and influence at the national level, making the presidential contest more national in scope. Second, by ending partisan manipulation in each state, it made the president a truer representative of the party and the people rather than one who was selected by a political caucus. And finally, the concept of democracy rather than republicanism became more and more descriptive of the country and its political system as a whole.

CHAPTER 2

A MEASURE FOR PARTY PURPOSES: THE ELECTORAL COLLEGE AND THE FIRST TWO-PARTY SYSTEM, 1787-1820

Serious discussion of the executive branch at the Constitutional Convention began on 1 June 1787, when the Committee of the Whole took up the discussion in part to postpone consideration of the creation of the legislative branch. The delegates used Virginian Edmund Randolph's resolution that called for an executive to "be elected by the Legislature for a fixed term of [left blank] years and to be eligible for reelection," but they quickly departed from the simple plan he had originally presented. The method of choosing the president deeply divided the delegates, not only between northern and southern states and smaller and larger states, but also between delegates who promoted democracy and those who championed republicanism. Each alternative presented to the Committee raised objections from a variety of interests for a variety of reasons. Political scientist Roger MacBride found that:

The suggestion that various authorities in the states elect the President was not popular. Governors were eliminated as a body of men liable to corruption. State legislatures, meeting and voting separately, would constitute an agency too awkward to consider. The opinion . . . that the qualified voters ought to elect the president directly, was not generally held. The difficulty of equating the voting strength of the slaveholding South with that of the populous North, and the conviction that Americans in the collective ought not to exercise that power *directly* . . . eliminated it

from the running as a possibility even before the convention opened.¹

Two of the most ardent supporters of some form of direct election of the chief executive were James Madison of Virginia and James Wilson of Pennsylvania. Wilson, well known to the delegates as a lawyer, orator, and writer, had published pamphlets during the Revolution criticizing the tyranny of Great Britain. Of the two, Wilson, probably second only to Madison in influence during the following months, was the more radical. He possessed a deep passion for democracy and a strong belief in nationalism. Thus, he advocated the direct election of the president. Madison, on the other hand, said that he could see the merits of filtering the choice of president through intervening bodies if the process was not too far removed from the people. "Experience," Wilson countered, "particularly in New York and Massachusetts, shewed [sic] that an election of the first magistrate by the people at large, was both a convenient and a successful mode. The objects of choice in such cases must be a person whose merits have general notoriety." Taking the idea even further, Wilson stated that placing presidential and congressional elections in the hands of the people would make both branches "as independent as

¹ David G. Smith, The Convention and the Constitution (New York: St. Martin's Press, 1965), 38-39; Richard B. Morris, The Forging of the Union, 1781-1789 (New York: Harper & Row, 1987), 287; Alfred H. Kelly and Winfred A. Harbison, The American Constitution: Its Origins and Development, 5th ed. (New York: W.W. Norton, 1976), 124; James Madison, Notes of Debates in the Federal Convention of 1787 (1966; reprint, New York: W.W. Norton, 1969), 31; Wilbourne E. Benton, ed., 1787: Drafting the U.S. Constitution (College Station: Texas A&M University Press, 1986), 1095; Carl Van Doren, The Great Rehearsal: The Story of the Making and Ratifying of the Constitution of the United States (New York: The Viking Press, 1961), 53; Roger Lea MacBride, The American Electoral College (Caldwell, Ohio: The Caxton Printers, 1963), 24-25.

possible of each other, as well as of the states.” At the suggestion of Virginia delegate George Mason, who supported Wilson's stance in theory but thought it impractical “as it would, to refer a trial of colours to a blind man,” Wilson refined his ideas, suggesting

. . . that the Executive magistracy shall be elected in the following manner: That the States be divided into [left blank] districts: & that the persons qualified to vote in each district for members of the first branch of the national Legislature elect [left blank] members for their respective districts to be Electors of the Executive magistracy, that the said Electors of the Executive magistracy meet at [left blank] and they or any [left blank] of them so meet shall proceed to elect by ballot, but not out of their own body [left blank] person in whom the Executive authority of the national Government shall be vested.

Thus the idea of presidential electors, a combination of Wilson's desire for popular choice and Madison and Mason's pragmatic view of a filtration system, entered the debate.²

Delegates on the convention floor offered various arguments against Wilson's plan. Connecticut's Roger Sherman thought the legislature should appoint the executive, and that he should be “appointed by and completely accountable to the Legislature only, which was the depository of the supreme will of the Society.” John Rutledge of South Carolina stated that the election of the executive should take place in the upper chamber of the national legislature. Charles Pinckney, also from South Carolina, supported legislative selection because “then respect will be paid to that character best qualified to fill the Executive department of Government.” Massachusetts's Elbridge Gerry and North Carolina's Hugh Williamson specifically opposed the use of electors. Gerry believed that the delegates could create a system using the legislative selection mode in a

² Madison, Notes of Debates, 48-50; Benton, 1787, 1097-98; Morris, Forging of the Union, 287-88.

way that “prevented intrigue,” whereas the use of district electors would be inconvenient. Furthermore, Gerry did not think “that the people ought to act directly even in the choice of electors, being too little informed of personal characters in large districts and liable to deceptions.” Similarly, Williamson thought the use of electors “would be attended with considerable expence [sic] and trouble; whereas the appointment made by the Legislature would be easy, and . . . the least liable to objection.”³

Debate over the mode of selecting the executive continued throughout most of June. The idea of the executive being dependent on the national legislature concerned many delegates as it might lead to corruption. Most of the state delegations, however, still supported this mode of appointment. By 19 June, the tide began to turn in favor of Wilson's plan. Opponents of legislative selection, notably Wilson, Madison, and Gouverneur Morris of Pennsylvania, continually raised the argument that if the executive was dependent upon the legislature for his appointment, he might abdicate his duties in exchange for a guaranteed second term. The only solution to this dilemma was either appointing the president for life or limiting him to one term. Neither option appealed to a majority of the delegates.⁴

On the convention floor, Madison gave a classic speech answering the concerns of the various interests and defining the idea of American republicanism, specifically as it

³ Madison, Notes of Debates, 46, 48, 50-51; Benton, 1787, 1101-04; Morris, Forging of the Union, 288.

⁴ Madison, Notes of Debates, 48-51, 306-09; Benton, 1787, 1136; Kelly and Harbison, American Constitution, 125. For a complete record of the debate concerning appointment of the executive during the first two weeks of June, see Benton, 1787, 1117-1136.

related to the concept of separation of powers. Madison paraphrased his speech in his journal, writing in third person:

If it be a fundamental principle of free Government that the Legislative, Executive and Judiciary powers should be *separately* exercised, it is equally so that they be *independently* exercised. There is the same and perhaps greater reason why the Executive should be independent of the Legislature, than why the Judiciary should: A coalition of the two former powers would be more immediately and certainly dangerous to public liberty. It is essential then that the appointment of the Executive should either be drawn from some source, or held by some tenure, that will give him a free agency with regard to the Legislature. This could not be if he was to be appointable from time to time by the Legislature. It is not clear that an appointment in the first instance even with an eligibility afterwards would be attended with intrigues and contentions that ought not to be unnecessarily admitted. He [Madison] was disposed for these reasons to refer the appointment to some other source. The people at large was in his [Madison's] opinion the fittest in itself. It would be as likely as any that could be devised to produce an Executive Magistrate of distinguished Character. The people generally could only know and vote for some Citizen whose merits had rendered him an object of general attention and esteem. There was one difficulty however of a serious nature attending an immediate choice by the people. The right of suffrage was much more diffusive in the Northern than the Southern States; and the latter could have no influence in the election on the score of Negroes. The substitution of electors obviated this difficulty and seemed on the whole to be liable to fewest objections.⁵

Madison's oratory was successful for a time. Following a brief debate, the Committee of the Whole approved an electoral system. The delegates had reached a consensus, although the issue remained open for debate.

Throughout the months of July and August, delegates raised the issue repeatedly. Convention members vacillated between keeping the already-agreed-upon electoral system and reverting to the original proposal to let the national legislature select the

⁵ Madison, Notes of Debates, 326-27; Benton, 1787, 1136-37; Morris, Forging of the Union, 288-89.

president. The question of reelection and years per term, though, remained disturbing to many delegates. The process appears chaotic. For instance, on 17 July the Convention again agreed that the national legislature should choose the executive and that he should serve a fixed term of seven years. Gouverneur Morris, appalled at the idea, compared legislative selection in this country to the Polish Diet choosing their king – and pointed out that their choices had been notoriously bad. The delegates reversed themselves on 19 July and agreed that a slate of electors chosen by the state legislatures should appoint the president. Under this plan, initiated by Oliver Ellsworth of Connecticut, each state would be allotted one, two or three electors, depending on the size of its population. Then, on 24 July, the convention again reverted to election by the national legislature. This prompted delegates to raise the question of re-eligibility once more. Finally, on 26 July, they returned to Randolph's original proposal of legislative appointment for a term of seven years with no reelection. Amid the indecision, Wilson remained adamant that the people should have a voice in choosing their chief executive and steadfastly promoted the electoral system. Conscious of the turmoil, the delegates voted to postpone any further discussion of the issue.⁶

By the end of August, the delegates were no closer to reaching a final decision than they had been at the first of June. Confusion surrounded not only the executive branch, but also almost every other provision of the proposed constitution. At the end of

⁶ Madison, Notes of Debates, 328, 356-63, 370-79; Max Farrand, ed., The Records of the Federal Convention of 1787, 4 vols. (New Haven, Conn.: Yale University Press, 1937), 2: 29-31, 33-37, 52-58, 99-101, 108-115; Van Doren, Great Rehearsal, 134-35; Forrest McDonald, Novus Ordo Seclorum: The Intellectual Origins of the Constitution (Lawrence: University Press of Kansas, 1985), 243-47.

August, the delegates appointed a Committee of Eleven and charged them with solving, among other things, the problems associated with the executive branch. Meeting in secret, the committee drafted what would ultimately become the basis for a final solution. Adopting Wilson's electoral system, with slight changes proposed by Pierce Butler of South Carolina, they decided that electors chosen by the qualified voters of the states would elect the president. They would distribute electoral votes among the states according to their population, thus reflecting the Connecticut, or Great, Compromise that decided congressional apportionment based on the population in the lower house and equality in the upper house. The person who received the most electoral votes would become president. If, however, no one received at least one-third of the electoral votes, selection of the president would take place in the Senate. According to the Committee of Eleven, the president would serve a six-year term and be eligible for reelection.⁷

The committee presented their recommendation on 4 September. In debate, the delegates accepted most of the committee's suggestions, making only minor changes in the plan. They lessened the president's term to four years, required that the candidate win a majority rather than one-third of the electoral vote, and placed contingent election – in case of a tie or no majority in the electoral vote – with the House of Representatives rather than the Senate. As far as deciding the method of choosing electors, the delegates left that decision to the individual states, stipulating only that the number of electors be

⁷ Madison, Notes of Debates, 634; Farrand, Records of the Convention, 2: 401-04, 497-98, 499-502, 511-515, 522-525; McDonald, Novus Ordo Seclorum, 207, 228; Van Doren, Great Rehearsal, 146; Lawrence D. Longley and Alan G. Braun, The Politics of Electoral Reform (New Haven, Conn.: Yale University Press, 1975), 25.

fixed at the number of representatives the state sent to Congress and that the state must not allow as electors either United States senators, representatives, or other national officeholders. The method of choosing the president was subject to little debate after gaining final approval. During the ratification process, this section of the Constitution received little, if any, attention at the state level. Madison, however, was not completely convinced that this method was without problems. Writing to Thomas Jefferson on the day that the plan was agreed to, he said, “. . . the plan . . . will neither effectually *answer* its *national object*, [nor] prevent the local *mischiefs* which everywhere *excite disgusts* agst. the *State Governments*.”⁸

The Electoral College received almost unanimous support in the end because it incorporated the concerns of those who supported direct election and those who supported legislative selection. Political scientists Lawrence Longley and Alan Braun refer to this two-stage election process as “a compromise between the principle of population and that of state interest.” Most of the delegates believed that the Electoral College would serve as the nominating process, leaving the House of Representatives to choose the president. It was common knowledge that George Washington would win unanimous acceptance as the first president of the United States. Most believed, though, that in future elections, no other person would be able to garner a majority of the country's electoral vote. This appealed to those who feared placing too much power in the hands of a popularly elected president. Because the House would make the final

⁸ Longley and Braun, Politics of Electoral Reform, 25; Julia E. Johnsen, Direct Election of the President (New York: The H.W. Wilson Co., 1949), 16; James Madison to Thomas Jefferson, 6 Sept. 1787, in Farrand, Records of the Convention, 3: 77.

decision, a tyranny of the majority would never occur. The plan also appealed to those who favored popular participation in presidential elections because the electoral vote and the subsequent election in the House would remain fairly close to the people. This process would also serve to make the president less dependent on Congress because the Electoral College gave the president power indirectly through the people. These suppositions, on all sides, proved false. Despite the intentions of the Founding Fathers, the College never worked as planned. On only two occasions did the House decide the outcome of a presidential race, and, what is more important, the development of the two-party system in the United States significantly affected electoral decision-making from almost the very beginning. Madison, it seems, was more than accurate in his assessment.⁹

Historian Arthur Schlesinger, Jr., succinctly summed up the mistake. “The original process got into trouble because of one of the few notable miscalculations . . . their failure to realize that the competition for the Presidency would generate the formation of political parties ” Richard McCormick echoes Schlesinger's conclusion, stating that “Party formation was most directly conditioned . . . by the contest for the presidency.” He adds, “The provisions that were made for choosing the president were to give a national scope to politics and encourage cooperation among political

⁹ Longley and Braun, Politics of Electoral Reform, 26-27; Smith, Convention and Constitution, 68; Johnsen, Direct Election, 17. For an in-depth discussion of the compromise-nature of the outcome of the debate concerning the Electoral College, see Shlomo Slonim, “The Electoral College at Philadelphia: The Evolution of an Ad Hoc Congress for the Selection of a President,” American Historical Review 73 (June 1986): 35-58.

leaders in the several states on behalf of particular candidates.” The rise of political parties coincided with the efforts to reform the Electoral College. A look at the presidential elections between 1789 and 1820, with particular emphasis on the election of 1800, will show that at the height of the struggle between Jeffersonian Republicans and Federalists, parties at the state level tried to manipulate the process of selecting electors to benefit their party. When party conflict was at its lowest point, however, this type of manipulation was almost nonexistent.¹⁰

The elections of 1788 and 1792 took place with little controversy, due in large part to the unanimous support given George Washington. In 1788, most states appointed their electors through legislative action because the time between the ratification of the Constitution and the first meeting of the Electoral College was so short. A few states provided for popular election, while Massachusetts set up a system in which people nominated twice the number of electors due the state and the legislature then chose from this slate. There was no discussion about establishing any uniform method of selection.¹¹

The election of 1792 followed much the same pattern. Of the fifteen states that took part in the election, ten placed the selection of electors in the hands of the legislatures. Massachusetts and New Hampshire allowed popular vote by district, but only insofar as the nominees from each district won a majority of the vote. In the

¹⁰ Arthur M. Schlesinger, Jr. and Fred L. Israel, eds., 4 vols., History of American Presidential Elections, 1789-1968 (New York: McGraw Hill Book Co., 1971), 1: xxxix; Richard P. McCormick, The Second American Party System: Party Formation in the Jacksonian Era (Chapel Hill: The University of North Carolina Press, 1966), 14, 20.

¹¹ Edward Stanwood, A History of Presidential Elections (Boston: Osgood and Co., 1884), 11; MacBride, American Electoral College, 28; Roy F. Nichols, The Invention of the American Political Parties (New York: Macmillan, 1967), 161.

absence of this, the legislature made the final selection. In Pennsylvania and Maryland, the people chose their electors on a statewide ticket. Virginia and Kentucky used popular choice in districts. Interestingly, there was a light turnout in those states allowing popular vote. For example, in Pennsylvania forty thousand people voted for members of Congress, but there were less than four thousand votes cast for presidential electors. In all probability, this was due to the fact that George Washington, being who he was, had no opposition, and the state wholeheartedly supported John Adams for vice-president. There was little incentive for reforming the Electoral College at this time.¹²

If the first two elections for the presidency were rather tame, the next two proved to be raucous affairs in which parties played a major role in the outcome. The election of 1796 was a battle not only between John Adams and Thomas Jefferson, but also between two distinct political parties and two visions of the nature of the Union. The Federalists, based mostly in the North, backed Adams while supporting the tenets of Alexander Hamilton's financial plans enacted in 1790-1791. The Democratic-Republicans, based largely in the South, supported Jefferson while generally opposing Hamilton's plan. The conflict between these two groups represented the first political parties in the nation.¹³

¹² Edward Stanwood, A History of the Presidency, 2 vols. (Boston: Houghton Mifflin Co., 1924), 1: 38-39; Lucius Wilmerding, The Electoral College (New Brunswick, N.J.: Rutgers University Press, 1958), 46-47.

¹³ Hamilton's financial plan involved establishing a national fiscal system that included creating bonds that would fund the national debt, national assumption of state debts, creating a national bank, establishing tariffs to protect U.S. industry, and placing an excise tax on whiskey. Morton Borden, in Parties and Politics in the Early Republic, 1789-1815 (New York: Thomas Y. Crowell Co., 1967), 44, writes: "Without a doubt the immediate precursor of a catalyst to party growth was Hamilton's financial program of 1790-91. A sharp rancorous section division in congressional voting occurred on each

The emergence of political parties drastically changed the nature of selection to the Electoral College, particularly in those states that allowed popular election – Georgia, Kentucky, Maryland, North Carolina, Pennsylvania and Virginia. In Pennsylvania both parties selected and published a list of names, an electoral slate of men who were favorable to the leading candidates. In addition, discussion ensued over whether an elector should be required to state whom he supported before the election and then be “bound” to support the candidate for whom he originally stated a preference. Some, like Charles Sims, an elector from Virginia, announced that if chosen he would vote for Patrick Henry and John Adams. Others, like Ralph Wormely, also from Virginia, sent letters to local the local newspapers refusing to declare their intentions. No states actually changed the way they voted for electors – except North Carolina, which adopted a system of popular election by district – but the presence of political parties certainly altered the process. Following Pennsylvania's lead, political parties throughout the country began adopting the practice of creating a slate of electors who would support their candidate and the idea of the “bound elector.” After an initial struggle, both ideas became firmly entrenched in the minds of the electorate. Historian Edward Stanwood, recounting the broken pledge of one of the two Federalist electors in Pennsylvania writes: “The treachery of this elector was the subject of an exceedingly plainspoken

issue. For example, in the second ballot on assumption, members from the Northern states voted 24 to 9 in approval, while congressmen from the South opposed it 18 to 10 The division on excise resulted in a vote of the Northern delegation in favor 28 to 6 (four of the latter from Pennsylvania), and Southerners opposed 15 to 7. Finally, on the bill to create a national bank, Northern representatives voted affirmatively 33 to 1, and Southern representatives voted negatively 19 to 6."

communication in the United States Gazette from an exasperated Federalist. ‘What!’ he exclaimed. ‘Do I chuse [sic] Samuel Miles to determine for me whether John Adams or Thomas Jefferson shall be President? No! I chuse him to *act*, not to *think*.’”¹⁴

If the election of 1796 showed how important political parties could be to binding and publicly pledging electors to specific candidates in states where the people directly voted for electors, the election of 1800 solidified that belief and proved that the state legislatures could structure the selection of electors in a variety of ways to the benefit of one party or the other. Again, the contest was between Jefferson and Adams. Noble Cunningham, in The Jeffersonian Republicans, states:

As party leaders made plans and organized their forces for the contest of 1800, they gave particular attention to various state laws governing the choice of presidential electors. In the absence of a uniform system of selection, the legislature of each state generally determined the method of election according to the circumstances of the moment. Such procedure provided an unusual opportunity for party manipulation; and the closeness of the election of 1796, in which Adams had received only three more electoral votes than Jefferson, encouraged partisan attempts to arrange election laws for party advantage in 1800.

The Federalists believed that Adams was sure to win. Since there were 139 electoral votes, the Federalists needed only seventy to win. They thought that they could gain the majority and counted on the solid vote of the New England States, New Jersey, Delaware, Maryland, Pennsylvania, North Carolina and South Carolina. The methods – Stanwood calls them “political chicanery” – used to try to gain this majority, however,

¹⁴ Noble E. Cunningham, The Jeffersonian Republicans: The Formation of Party Organization, 1790-1801 (Chapel Hill: The University of North Carolina Press, 1957), 94-97; Stanwood, History of the Presidency, 1: 47-51.

while saving the Federalists from a devastating defeat, gave the Republicans their sought-for victory.¹⁵

Of the ten states that selected electors by popular vote in 1796 only five – Rhode Island, Maryland, Virginia, North Carolina, and Kentucky – retained this method in 1800. Often the people kept this right only after serious attempts at change. For instance, in Maryland the election of the members to the state legislature that year revolved around the issue of the method of selecting electors. The Federalists proposed changing the method from electors popularly chosen by district to appointment by the legislature or election on a general ticket. The Federalists believed that Adams would gain all the state's electors through either of these two methods. Four candidates to the State Assembly went so far as to justify the political nature of the argument when they sent a statement to the Federalist Gazette:

We deem it a sacred duty to pursue every *proper and constitutional* measure to elect John Adams president of the United States; but at the same time we pledge ourselves to our countrymen, that whatever may be the mode proposed, whether it be by legislative choice of electors, or by general ticket throughout the state, *we will consent to no law making a change in the election, unless it contains a clause expressly declaring that the present mode shall not be revived after this election.*

Despite their best efforts, the Federalists in this state were unsuccessful. Maryland retained its method of selecting electors popularly by district, and Jefferson and Adams split the state's ten electoral votes in half.¹⁶

¹⁵ Cunningham, Jeffersonian Republicans, 144; Stanwood, History of the Presidency, 1: 61.

¹⁶ Cunningham, Jeffersonian Republicans, 189-90.

The Federalists were also quite active in other states, fearing that their candidate had become too unpopular with the general population to win the general election. In Pennsylvania, they presented an interesting use of party politics to manipulate the Electoral College. The state constitution required that the state legislature pass a law regulating the mode of selection, to be in use for that election alone. Prior to each previous election, the legislature gave the people the right to select electors by district. In 1796, this method resulted in fourteen electors pledged to Jefferson and one to Adams. Once the Federalists gained control of the state senate in 1800, by a majority of thirteen to eleven, they blocked passage of the bill providing for popular election by district. Forced to yield to the Federalists, who became known as the “Federalist Thirteen,” the Republican-controlled house agreed to joint legislative selection where they then chose eight Jefferson and seven Adams electors. The editor of the United States Gazette wrote, “The Federalist Thirteen deserve the praises and blessings of all America. They have checked the mad enthusiasm of a deluded populace and the wicked speculation of designing demagogues. In reviewing the recent aspect of our political affairs, it may be accurately said, *they have saved a falling world!*” Federalists in Massachusetts, fearful that Jefferson might secure two of the district electors, thus giving him an edge in the national election, also advocated taking the vote from the people and placing it in the hands of the legislature. Since the Federalists dominated both houses in this state, they were able to proceed with their plan, first suggested by their party delegates in Congress, and secured all of Massachusetts's electoral votes for Adams. Connecticut joined Massachusetts in choosing their electors through the legislature, generating as much

debate on the issue as in the former state. Despite losing the fight for choosing electors popularly, the Republicans gained support among the populace through the newspapers. Following the debates in the state legislature, the American Mercury stated that the people had been “repeatedly and impudently robbed of one high privilege, choosing Electors.” Furthermore, the Connecticut Courant claimed, the Federalists were violating the spirit of American independence by denying the people their rights, since “the right of suffrage is the citadel of Liberty.” Of course this was an overstatement because the people had never before chosen their electors, but in a state where the Federalist party dominated, the fact that the Republicans in 1800 could bring such a plan to a vote was significant, particularly since in 1799 one Federalist newspaper had boldly proclaimed that in Connecticut “democracy had not dared show its hideous head.”¹⁷

Federalists in New Hampshire followed Massachusetts's example, but in New York they suffered a terrible blow. The legislature, once dominated by Federalists, had always chosen the state's electors, and in May of 1800, it came under the control of the Republicans. To divert the oncoming disaster, Alexander Hamilton, among others, wrote to Governor John Jay asking him to call the old legislature into special session so that they could change the election law to popular vote by district. Hamilton believed that in this manner, Adams would still win most of the state's electoral votes. Governor Jay, though, held firmly to his principles and refused to do something he considered unethical.

¹⁷ Stanwood, History of the Presidency, 1: 60-61; Cunningham, Jeffersonian Republicans, 146-47; United States Gazette, 3 December 1800; William A. Robinson, Jeffersonian Democracy in New England (1916; reprint, New York: Greenwood Press, Publishers, 1968), 31-2; Columbian Centinel, 7 June 1800; American Mercury, 20 September 1800; Connecticut Courant, 27 October 1800, 31 March 1800, 3 June 1799.

He labeled the plan “a measure for party purposes which I think it would not become me to adopt.” Jefferson won all of New York's electors.¹⁸

Although the Federalists were most active in manipulating the selection of electors, Republicans were not averse to doing the same. The most blatant example took place in Virginia. In every previous election, Virginia had given the selection of electors to the people, who chose their electors by district. In 1800, Virginia had twenty-one electors and the Republicans meant for all of them to go to Jefferson. Fearing that the Federalists could win some districts if they did not change the method of selection, the Republicans put all their effort into changing the law to require election on a general ticket, thus diluting the Federalist vote. In response to criticism from the Federalists, Republicans tried to justify their actions. The most common argument, according to Stanwood, was that Virginia should “avail itself of ‘the full extent of its electoral power.’” Virginia with twenty-one electors should have influence in the election three times greater than that of New Jersey, which had seven electors, or seven times that of Delaware, which had three electors.” Despite this argument, the Republican manipulations were transparent. The only purpose of the change from district election to a general ticket was to secure all of the votes for Jefferson.¹⁹

The outcome of the election of 1800 was due to many factors, including the Alien and Sedition Acts of 1798 that made it a crime to criticize the government, the Federalist

¹⁸ Stanwood, History of the Presidency, 1: 60-1, Cunningham, Jeffersonian Republicans, 146-47.

¹⁹ Stanwood, History of the Presidency, 1: 60; Cunningham, Jeffersonian Republicans, 144-46.

tax program that some saw as harmful to agricultural interests, and the split that developed within the Federalist party between those who championed Adams and those who supported Hamilton. Despite the Federalists' best efforts to manipulate the Electoral College, the Republicans had an advantage with the people that the Federalists could not overcome. The outcome was important for a variety of reasons. Most saw it as a vindication of the concept of republicanism and as proof that a peaceful transfer of power from one political faction to another could occur. In reality, the election of 1800 showed how powerful political parties could become and how they could use the electoral system to their best advantage. In addition, the tie between the Republican presidential and vice-presidential candidates, Jefferson and Aaron Burr, which forced the election to the House of Representatives, showed how unwieldy the system was in its present state. In 1804, the Twelfth Amendment, mandating a separate ballot for the two positions, and thereby legitimizing the existence of the two-party system, was added to the Constitution.²⁰

When debating the Twelfth Amendment, though, congressional representatives did not limit themselves to discussion of a separate ballot, or designation, for the president and vice-president. Many also began to challenge the notion of allowing each state to appoint its electors in whatever manner they saw fit. Federalists in New York provided a starting point by promoting the district mode in their state legislature as early as 1801. Since the Republicans had gained a slight majority of seats and could deliver

²⁰ Borden, Parties and Politics, 55. A complete discussion of the efforts to pass the 12th Amendment, designed to designate separate ballots for president and vice-president, can be found in Tadahisa Kuroda, The Origins of the Twelfth Amendment: The Electoral College in the Early Republic, 1787-1804 (Westport, Conn.: Greenwood Press, 1994), in its entirety.

the state's entire vote to the Republican candidate if they held the majority under the appointment system, the Federalists hoped to legalize the district system, allowing the state's vote to be split among the various candidates. Newly elected Senator DeWitt Clinton introduced the national measure on the floor of the Senate, while Representatives Lewis W. Morris of Vermont and Benjamin Walker of New York presented a similar resolution to the House. The resolutions were sent to committee to be studied. Many who would support passage of the Twelfth Amendment were not inclined to support another amendment concerning presidential electors. Samuel L. Mitchell, also of New York, saw no need for Congress to step in and legitimize what the states already practiced. The Electoral College, he claimed did not work as the Founders intended because of the presence of political parties, but that did not mean that any change was needed. In December, 1802, he spoke on the House floor: "Wise and virtuous as were the members of the Convention, experience has shown that the mode therein adopted cannot be carried into operation; for the people do not elect a person for an elector who, they know, does not intend to vote for a particular person as President. Therefore, practically, the very thing is adopted [that is] intended by this amendment." In those states that used legislative selection, he continued, the people could count on those they elected as legislators to choose a candidate who represented their values. The issue was debated on and off for the next two years.²¹

²¹ New York Daily Advertiser, 4 February 1802; Annals of Congress, 7th Cong., 1st sess., 472, 509, 542-44, 602-03, 629, 1285-90. See also Kuroda, Twelfth Amendment, 115-169.

Although the 7th Congress adjourned with no action taken on this amendment, Congressmen picked up the issue almost immediately when the 8th Congress reconvened in January of 1803. Virginia Representative John Clopton, arguing for a uniform method, preferably popular choice by district, said, “The Electors are the organs who, acting from a certain unquestioned knowledge of the choice of the people, by whom they themselves were appointed, and under immediate responsibility to them, select and announce those particular citizens who bear the stamp of public confidence, and affix to them by their votes on evidence of the degree of public confidence which is bestowed upon them.” In the end, neither chamber chose to bring the issue of elector selection to the states as an amendment; instead, they focused on providing for a separate ballot for the president and vice-president. The issue, though, was far from dead, and advocates of democracy would bring the issue forth, both at the state and national levels.²²

The presidential elections between 1804 and 1820 were anticlimactic compared with the previous two. Outside of New England, the Federalist party did not have enough support to win a majority of electoral votes in a national election, particularly after the United States fought Great Britain in the War of 1812.²³ As a result, most states either

²² Annals of Congress, 8th Cong., 1st sess., 423. See also Kuroda, Twelfth Amendment, 115-169.

²³ The Federalists in New England were generally opposed to the War of 1812. Specifically, they felt that the policies instituted by Thomas Jefferson and James Madison concerning trade, with Great Britain in particular, hurt the economy of their section. In addition, many felt that the U.S. should not declare war against Great Britain at a time when that country was trying to end the reign of Napoleon Bonaparte in France. They believed that none of the justifications given, including British occupation of forts on U.S. soil, British instigation of Indian raids, or impressment of U.S. citizens by the British navy, was enough to go to war. During the course of the war, many New Englanders continued trading with the British and in some cases aided them in the war

retained the mode of selection they used in 1800 or reverted to that which they used in the previous three elections, although there were some notable exceptions. In 1804, the Federalist party in many New England states began to open the election process to the voting populace. Specifically, Massachusetts and New Hampshire, apparently stung by the criticism of the press in 1800, allowed popular choice for the first time – although not always in the way the Republicans wanted. The Republicans in both states would have preferred to use the district rather than general ticket, where they could hope to win some electors, but the Federalists would not go that far. After convening state caucuses to nominate electors on a slate to be presented to the public, the Republicans and Federalists waited for the results, wrongly assuming that the Federalists would win all of the electors because of the success of the Federalist congressional nominees a few weeks earlier. Surprisingly, Jefferson carried both Massachusetts and New Hampshire in 1804. Learning the lesson, Massachusetts reverted to legislative selection for the 1808 election, but New Hampshire did not.²⁴

effort. After the Hartford Convention, in which Federalists tried to use Jefferson's theory of nullification, first introduced in 1798, to either condemn the U.S. position or in the extreme call for secession, people throughout the country began to suspect the Federalist party of a lack of national pride and support. Andrew Jackson's victory at the Battle of New Orleans in January 1815 sealed the Federalists' fate. Although the war technically ended in a draw with the signing of the Treaty of Ghent in December 1814, most Americans took Jackson's victory to heart and celebrated with a feeling of renewed independence. Under these circumstances, the Federalist party was doomed at the national level.

²⁴ Stanwood, Presidential Elections, 49; National Aegis, 5 September 1804; Columbian Centinel, 9 June 1804, 16 June 1804, 12 September 1804; Independent Chronicle and Universal Advertiser, 15 November 1804, 22 November 1804; Massachusetts Spy, 22 June 1808; Henry Adams, History of the United States, 9 vols. (New York: Charles Scribner's Sons, 1909), 4: 249.

Table 1 shows how stable most states were during this time. A study of the table reveals that in the absence of true two-party competition, most states chose to either remain with a specific mode of election or change to a new one and stay with that mode for the remainder of this period.²⁵

**TABLE 1. STATE METHODS OF CHOOSING ELECTORS BY ELECTION,
1789-1820**

STATE	1789	1792	1796	1800	1804	1808	1812	1816	1820
Alabama	—	—	—	—	—	—	—	—	L
Connecticut	L	L	L	L	L	L	L	L	G
Delaware	D	L	L	L	L	L	L	L	L
Georgia	L	L	G	L	L	L	L	L	L
Illinois	—	—	—	—	—	—	—	—	D
Indiana	—	—	—	—	—	—	—	L	L
Kentucky	—	D	D	D	D	D	D	D	D
Louisiana	—	—	—	—	—	—	L	L	L
Maine	—	—	—	—	—	—	—	—	C
Maryland	G	G	D	D	D	D	D	D	D
Massachusetts	C	C	C	L	D	L	D	L	C
Mississippi	—	—	—	—	—	—	—	—	G
Missouri	—	—	—	—	—	—	—	—	L
New Hampshire	C	C	C	L	G	G	G	G	G
New Jersey	L	L	L	L	G	G	L	G	G
New York	—	L	L	L	L	L	L	L	L
North Carolina	—	L	D	D	D	D	L	G	G
Ohio	—	—	—	—	G	G	G	G	G
Pennsylvania	G	G	G	L	G	G	G	G	G
Rhode Island	—	L	L	G	G	G	G	G	G
South Carolina	L	L	L	L	L	L	L	L	L
Tennessee	—	—	C	C	D	D	D	D	D
Vermont	—	L	L	L	L	L	L	L	L
Virginia	D	D	D	G	G	G	G	G	G

Key: L - chosen by the Legislature

G - chosen by popular vote on a
general ticket

D - chosen by popular vote in districts

C - combination of methods

²⁵ Information for this table was taken from data in Charles A. Paullin, "Political Parties and Opinion, 1788-1930," in Atlas of the Historical Geography of the United States (Washington, D.C.: U.S. Government Press, 1932), 89-95, and Longley and Braun, Politics of Electoral Reform, 25.

During this period of one-party control from 1804 to 1820, however, there were many attempts to amend the provisions of the Constitution concerning presidential selection. Some congressmen felt that in order to avoid the political maneuverings of 1800, which they deemed unseemly, and to place the presidential election as close to the people as possible, the Constitution should mandate one form of electoral selection – popular voting by district or direct vote by the people. The ardent supporters of change included Mahlon Dickerson of New Jersey, Nathaniel Macon of North Carolina, John Nichols of Virginia, Israel Pickens of North Carolina, and Abner Lacock of Pennsylvania. Four times a proposed amendment came to a vote in Congress, and all four times it failed to gain the two-third majority needed to pass. In 1813, a district plan passed the Senate by a vote of twenty-two to nine, but the House refused to act on the proposal. In 1816, a proposal introduced in the Senate to eliminate the Electoral College completely failed twelve to twenty-one. A proposal for an amendment mandating selection of electors by district passed both houses in 1818, but the measure failed to gain the two-thirds majority required for a constitutional amendment. Finally, in 1820, the Senate passed a proposal for a district plan, but again it failed to achieve the needed two-thirds majority in the House. The district plan never came close to passage again.²⁶

²⁶ Wallace S. Sayre and Judith H. Parris, Voting for President: The Electoral College and the American Political System (Washington, D.C.: The Brookings Institute, 1970), 26-28. For an in-depth discussion of the efforts to amend the Constitution during this time, see also Stanwood, History of the Presidency, 1: 121-23, and Wilmerding, Electoral College, 56-62. For a complete discussion on these debates, see *Annals of Congress*, 13th Cong., 2nd sess. (1814), 828-24; 14th Cong., 1st sess. (1816), 213-27, 301-12, 338-56; 15th Cong., 1st sess. (1818), 178-187.

A look at the debates surrounding the efforts to pass an amendment mandating uniform selection of electors throughout the states between 1800 and 1820 reveals both serious pleas for reform as well as concern about politics and the division of power between the states and the national government. Sometimes, the debate did not even touch upon an amendment of the Constitution, but rather focused on the abuse of the electoral system by political factions. For instance, responding to a House resolution presented in 1809 that asked Congress to issue a condemnation of the way Massachusetts had selected its electors in 1808, Edmund Randolph of Virginia cautioned the House to be very careful with the subject because any congressional action would demean the purpose the Founding Fathers. In particular, he felt that any action by Congress would strip the states of one of their powers, making the national government more potent. “The Constitution has said,” he claimed, “that each state is entitled to a number of Electors equal to the number of its Senators and Representatives, who shall be appointed in such manner as the *Legislatures shall prescribe*; and if we attempt to put our hands on this power, we might as well, in my apprehension, abrogate to ourselves the appointment of President and Vice President.”²⁷

The debates surrounding the amendment proposals themselves provide further evidence of the lack of consensus within Congress. After the Senate passed a proposed amendment in 1813 mandating selection of electors by district, the House refused to vote on the resolution. There was much debate on the issue, especially by its foremost proponent, Israel Pickens of North Carolina. William Murfree and William Gaston, both

²⁷ Annals of Congress, 10th Cong., 2nd sess., 1303-04, see also 1376-77.

of North Carolina, on orders issued by the state legislature, joined him in his strenuous reform efforts. Noting the influence of parties on decision-making at the state level, Pickens claimed that the majority party or faction in each state wanted to give universal suffrage and adopt a general ticket method or stay with legislative selection, while the minority party or faction always advocated the district method. To do away with such party maneuvering, a universal district method would ensure fairness for all groups. Speaking on the House floor, Pickens said,

The Plan now presented appears to me most congenial with the free spirit of our government, and the most fair and simple in its operation; if we still maintain our first political maxim, that “all legitimate power is derived from the people,” it must result that the most direct channel through which this power can be conveniently communicated is to be preferred. No method is so direct as that by which a man makes his own ticket, and votes it – no mode is more convenient than that by a single district.

Gaston, supporting Pickens, added as an example the differing party reasons behind various modes of elector selection in 1812, pointing out the lack of principle behind their actions. “In Massachusetts no other mode could be tolerated by the Democratic part of the Legislature, but the choice by the people in districts; while in North Carolina it was claimed to be Republican to appoint by the Legislature. And, vice versa, the same political party that in North Carolina advocated the choice in districts, in Massachusetts was found to prefer with a Legislative choice or a general ticket.” Indeed, the record bears out Gaston’s observation. North Carolina went from using the district method in all election between 1796 and 1808 to legislative selection in 1812 then to a general ticket mode in 1816. Massachusetts continued its trend of adopting whatever plan the majority thought would be the best help to their party’s candidate, district election in 1804 and

1812, legislative selection in 1808 and 1816. “Elections will be best secured against intrigue and corruption where this power is exercised by the scattered freemen at large,” Pickens insisted when expressing concern about the type of party power exhibited at the state level. He continued, “Where this trust is centered as it were in a single point as by a legislative vote, designing men will have more inducement to offer corrupt influence; and in times less virtuous a few powerful men may be able to effect the elevation of an individual whom the nation may believe to be unworthy.” Despite his plea, the House did not act.²⁸

Congress again took up the issue in 1816, an election year. Abner Lackock of Pennsylvania in the Senate and Pickens in the House again led the call for reform. The Pennsylvanian was perhaps the more radical of the reformers, actually proposing that the president be elected directly by the people with no Electoral College to act as a filter. This was rejected out of hand, mainly on the basis of the different voter qualification found in the various states. The arguments for and against adopting either a district or general ticket plan were similar to those presented in previous years. A reading of the record reveals that few politicians were willing to state clearly that party concerns drove them to oppose the amendment, but delay and indecision ruled the debates. Political scientist Lucius Wilmerding succinctly sums up the problem faced in 1816 and in the subsequent efforts in 1818 and 1820:

²⁸ Annals of Congress, 13th Cong., 2nd sess., 856, 832, 836, 834; Hugh Talmage Lefler and Albert Ray Newsome, North Carolina: The History of a Southern State (Chapel Hill: The University of North Carolina Press), 290-91. For a complete text of Pickens’ and Gaston’s speeches, as well as others, see Annals of Congress, 13th Cong., 2nd sess., 828-844.

But although everyone knew what to do, nothing was done. The reasons for non-action were purely political. The district system would have compelled the predominant party in every state to come into the contest fairly. As Rufus King remarked, it would have put all the people in the country on the same footing; the people in each district would have cast their vote for President according to a sense of their own interest, and a majority of districts, in a nation-wide constituency, would have chosen the President. On the other hand, the existing arrangements permitted the predominant party in each state to rig each election in its own favor. By requiring the Electors to be appointed by the legislature or by general ticket not only could the party suppress the votes of sections of the state opposed to it but it could also count those votes as if they had been cast for itself. Since victory, not equity, is the ordinary goal of politicians, since a great majority is preferable to a small one, the district system was much disliked by the practical politicians who controlled each separate state.

Predictably, the amendments first introduced by Mahlon Dickerson in 1818 and 1820 met the same fate as that in 1816. With so little real incentive to change and no outcry at this time from the people, politicians from all factions, whether within the Democratic Republican party or not, never could agree to approve any of the proposed reforms.²⁹

²⁹ Annals of Congress, 14th Cong., 1st sess., 213-28; Annals of Congress, 14th Cong., 2nd sess., 301-12, 337-56; Annals of Congress, 15th Cong., 1st sess., 177-187; Wilmerding, Electoral College, 58-59.

CHAPTER 3

THE ELECTION OF 1824 AND THE DEMISE OF DEMOCRATIC-REPUBLICAN UNITY

After the almost uncontested elections of 1816 and 1820, and the unsuccessful attempts to amend the Constitution, the fervor for changing the electoral process seemed to dissipate. The apparent demise of the two-party political system after the dissolution of the Federalist party following the War of 1812 suppressed competition to the extent that change seemed unnecessary. Issues dividing the old Jeffersonian Republicans, however, began to surface before James Monroe's first term had even ended. Debate over strict and loose construction of the Constitution again reared its head, revolving around issues such as internal improvements, the protective tariff, slavery, and the disposition of public lands. In addition, reactions to the Panic of 1819, particularly in the western states, ranged from outright hostility to the national banking system to concern over domestic trade and currency issues. The controversy surrounding these issues, combined with one of the most contentious elections in the nation's history, led to the development of two new political parties. Although relatively few states addressed the issue of elector selection, the outcome of the 1824 election in conjunction with the perceived manipulation or outright disregard of the public's will provided the impetus for serious change. Three states – Alabama, Indiana and Missouri – changed the way their electors were chosen from the previous election, and a fourth, New York, controversially

kept its previous method. In addition, prior to the election, reformers in Congress once again fought for a permanent remedy to the variety of selection methods among the states by proposing a Constitutional amendment.¹

Before Monroe's second term as president was half over, candidates for the 1824 election began to emerge. In April of 1822, Nile's Weekly Register listed seventeen candidates for the position. By the end of the year, the field had narrowed to a more manageable six – all members of the Democratic Republican party. They were Secretary of State John Quincy Adams from Massachusetts, Secretary of War John C. Calhoun from South Carolina, Speaker of the House Henry Clay of Kentucky, New York Governor DeWitt Clinton, Secretary of the Treasury William H. Crawford from Georgia, and General Andrew Jackson, war hero and senator from Tennessee. Each candidate had a large core of supporters within the party from a variety of states, but none could claim a majority endorsement. Although Adams was the favorite, enough delegates and candidates boycotted the national nominating caucus that the election had to proceed without an officially declared candidate. Crawford received the caucus nomination – for what it was worth – while state legislatures nominated the others. This lack of a clearly defined front-runner, combined with the number of candidates, meant that in all likelihood the election would be decided in the House of Representatives, and the

¹ Edward Stanwood, A History of the Presidency, 2 vols. (Boston: Houghton Mifflin Co., 1924), 1: 125; James F. Hopkins, "The Election of 1824," in History of American Presidential Elections, 1789-1968, 4 vols., ed. by Arthur M. Schlesinger, Jr. and Fred L. Israel (New York: McGraw Hill Book Co., 1971), 1: 349; Richard P. McCormick, The Second American Party System: Party Formation in the Jacksonian Era (Chapel Hill: The University of North Carolina Press, 1966), 3-4; Eugene H. Roseboom, A History of Presidential Elections (New York: Macmillan, 1959), 77-78.

candidates took this into account when planning their strategies. By the beginning of 1824, Clinton and Calhoun had withdrawn their candidacies – Calhoun in favor of the vice-presidency – leaving the remaining four to contest the race.²

All four candidates were excellent representatives of the Democratic Republican party and espoused political principles vague enough for the party faithful throughout the country to accept. Any allegiance for one candidate over another, then, would rest on personal preference – one might be intellectually superior to the others, personal likes or dislikes, local pride and enthusiasm, or prior service to the party and the country. Crawford men, for example, cited his experience as Treasury Secretary, while Clay supporters pointed to his distinguished service in the House of Representatives. Calhoun advocates, in the beginning, could point with pride to his service as a representative in the House and in the Monroe Administration. Jackson backers, though, most often pointed to his character and service to the country during the previous war. Of the four, only Clay had previously announced a clear-cut agenda when he introduced his American System, focusing on a sound banking policy, protective tariffs, and internal improvements. In the end, though, the election would be won (or lost) on political maneuvering at the state and the House level. Although most believed that none could win a majority of the electoral vote, that did not stop their sympathizers from trying to arrange which candidates would be voted on in the House. Since only the top three finishers in the electoral voting would

² Stanwood, History of the Presidency, 1: 125-33; Hopkins, “1824,” 350-51; Roy F. Nichols, The Invention of the American Political Parties (New York: Macmillan, 1967), 262-63.

move on, it was important to secure enough state electoral votes in November, else the candidate might be eliminated before January when the House would choose the victor.³

Adams and Crawford would be two of the final three candidates, but the most serious disagreements, those which ultimately lead to the formation of the Democratic and National Republican parties could be found between those who supported Clay, who would not finish in the top three, and those who supported Jackson. Jacksonians constantly promoted democratic ideals and feared that the growing strength of the business community in the United States was heightening class and monetary status differences among the people. This in turn would limit independence and equality. Clay's followers often showed concern about relying on the opinion of the uninformed masses, especially in areas of business and economic prosperity. Historian Harry Watson sums up the differences: “. . . in an age of democracy and economic development, Andrew Jackson and his supporters feared that democracy might suffer at the hands of development, while Henry Clay and his admirers worried that the opposite might be true.”⁴

³ Nichols, Invention of Parties, 262-63. This division within the Democratic Republican party had another effect – to bring an end to the caucus system as it was practiced. Because so many felt that the caucus would choose Crawford, they boycotted the meeting and concentrated on nominating their favorite candidates through state legislatures. See M. Ostrogoski, “The Rise and Fall of the Nominating Caucus, Legislative and Congressional, American Historical Review 5 (January 1900): 253-283.

⁴ Harry L. Watson, Andrew Jackson vs. Henry Clay: Democracy and Development in Antebellum America (Boston: Bedford/St. Martin's, 1998), 2. Other excellent explanations of the differences between the two can be found in Major L. Wilson, Space, Time, and Freedom: The Quest for Nationality and the Irrepressible Conflict, 1815-1860 (Westport, Conn.: Greenwood, Press, 1974), 73-93 and Robert V. Remini, The Legacy of Andrew Jackson: Essays on Democracy, Indian Removal, and Slavery (Baton Rouge: Louisiana State University Press, 1988), 7-44.

**TABLE 2. 1824 PRESIDENTIAL ELECTION POPULAR VOTE TOTALS
BY STATE**

State	Total Vote	John Quincy Adams		Andrew Jackson		Henry Clay		William Crawford	
		Votes	%	Votes	%	Votes	%	Votes	%
Alabama	13,603	2,422	17.8	9,429	69.3	96	0.7	1,656	12.2
Connecticut	10,647	7,494	70.4	—		—		1,965	18.5
Illinois	4,671	1,516	32.5	1,272	27.2	1,036	2.2	847	18.1
Indiana	15,838	3,071	19.4	7,444	47.0	5,316	33.6	—	
Kentucky	23,338	—		6,356	27.2	16,982	72.8	—	
Maine	12,625	10,289	81.5	—		—		2,336	18.5
Maryland	33,214	14,632	44.1	14,523	43.7	695	2.1	3,364	10.1
Massachusetts	42,056	30,687	73.0	—		—		—	
Mississippi	4,894	1,654	33.8	3,121	63.8	—		119	2.4
Missouri	3,432	159	4.6	1,166	34.0	2,042	59.5	32	0.9
New Hampshire	10,032	9,389	93.6	—		—		643	6.4
New Jersey	19,837	8,309	41.9	10,332	52.1	—		1,196	6.0
North Carolina	36,109	—		20,231	56.0	—		15,622	43.3
Ohio	50,024	12,280	24.5	18,489	37.0	19,255	38.5	—	
Pennsylvania	47,073	5,441	11.6	35,736	75.9	1,690	3.6	4,206	8.9
Rhode Island	2,344	2,144	91.5	—		—		—	
Tennessee	20,725	216	1.0	20,197	97.5	—		312	1.5
Virginia	15,371	3,149	22.2	2,975	19.4	419	2.7	8,558	55.7
Total	365,833	112,852	30.8	151,271	41.4	47,531	13.0	40,856	11.2

As predicted, the election results showed no clear majority. The final popular vote tally was as follows: Jackson – 151,271 (41.4 percent); Adams – 113,122 (30.8 percent); Clay – 47,531 (13.0 percent); Crawford – 40,856 (11.2 percent); and 13,053 (3.8 percent) for unpledged or scattered write-in votes.⁵

⁵ Data for this table were taken from Charles A. Paullin, “Political Parties and Opinion, 1788-1930,” in *Atlas of Historical Geography of the United States* (Washington, D.C.: U.S. Government Press, 1932), 96, and John L Moore, ed., *Congressional Quarterly’s Guide to U.S. Elections* (Washington, D.C.: Congressional Quarterly, Inc., 1994), 429. Connecticut, Massachusetts, Missouri, North Carolina and Rhode Island were the only states where ballots were cast for minor or unpledged candidates; thus, the vote totals in these states do not equal 100 percent. Because they did not appreciably affect the outcome, no discussion is needed here. Six states – Delaware, Georgia,

Electoral, the results of the election were equally close, with Jackson gaining 99 votes, Adams 84, Crawford 41, and Clay 37. Clay, despite defeating Crawford popularly, was eliminated from the election as it moved to the House of Representatives. He was not, however, finished. Using his political skills and reputation, Clay tirelessly worked to defeat Jackson, a man he saw as a demagogue and a dangerous threat to the country and his own political ambitions. Adams's victory over Jackson in the House, by a vote of thirteen states to seven, had several anticipated and unanticipated consequences. Primarily, Adams's victory was tainted and his presidency stained. With his appointment of Clay to the position of Secretary of State, opponents saw foul play at work and the idea of Adams "buying" the election was widely circulated. The Washington Gazette published an article, "Mr. Clay and His Conscience," immediately following the House decision.

And Mr. Clay, in denouncing that hero, sets himself up in judgment against the sense and the voice of the People – of the nation. He pretends to undervalue the minority of Mr. Crawford's electoral votes, and yet votes for Mr. Adams, who had a less number than General Jackson If the People thought Gen. Jackson worthy, is it for Henry Clay to pronounce him unworthy? Is it for him to say to his fellow-citizens, "You shall not have the man you wish, but the man I will"? No. – Henry Clay himself has inflicted the deepest wound on the fundamental principle of our government. *He* has insulted and struck down the majesty of the People: *He* has impugned their sovereignty: *He* has interposed between the current of their sentiments and the object of their choice; and seeks to justify himself by stale electioneering excuses. A thousand "military chieftains" could not have done so much harm to our constitutional principles He has shewn [sic] to the foreign world that the Presidency may be bought and sold, like any other commodity in the market, and taught crowned heads, if they desire to subvert our liberties, where and how to apply the means.

Louisiana, New York, South Carolina and Vermont – have no popular vote totals because the state legislatures chose the electors.

Adams, as the beneficiary of Clay's supposed manipulation, would not be able to overcome the stigma attached to his election. More importantly, though, the appearance of ignoring the popular will fueled efforts to reform the Electoral College and the merits of manipulating the selection of electors, much like in 1796 and 1800, once again had been used and would be studied in anticipation of a rematch between the two leading candidates in 1828.⁶

Of the twenty-four states taking part in the election, one-half chose their electors through popular vote on a general ticket. These were: Alabama, Connecticut, Indiana, Massachusetts, Mississippi, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, Rhode Island, and Virginia. Six states – Illinois, Kentucky, Maine, Maryland, Missouri, and Tennessee – used the district method. The remaining states – Delaware, Georgia, Louisiana, New York, South Carolina and Vermont – chose their electors through legislative selection. Alabama, Indiana, and Missouri had chosen electors using the legislative method in 1820. Alabama and Indiana adopted the general ticket method for the 1824 election and Missouri chose its electors through districts. Massachusetts, which had demonstrated a dramatic willingness to adopt a variety of selection methods, chose all of its electors on a general ticket in 1824. It should be noted,

⁶Moore, Guide to Election, 388; Washington Gazette, 11 February 1825. An in-depth study of the general election can be found in a variety of sources. Those used here were Paullin, Atlas of Political Geography, 96, Lawrence D. Longley and Alan G. Braun, The Politics of Electoral Reform (New Haven, Conn.: Yale University Press, 1975), 36; Stanwood, History of the Presidency, 1: 125-41, Hopkins, "1824," 349-409, and Robert V. Remini, Andrew Jackson and the Course of American Freedom (1981; reprint, Baltimore: The Johns Hopkins University Press, 1998), 74-99.

however, that the latter state changing to the more democratic method really meant nothing since Adams would receive all of that state's vote regardless of the method used. New York, on the other hand, did not change its mode of selecting electors, but the presidential contest, combined with party politics, was heavily influenced by the debate over selection of electors.⁷

Understanding the role that party factions, in regard to elector selection, at the state level played in the selection of electors in 1824 requires a look not only at those states themselves, but also at the efforts to amend the Constitution at the national level. Prior to the serious campaigning of 1824, Congress once again took up the issue of elector selection. In December 1823, Representative George McDuffie of South Carolina and Senator Thomas Hart Benton of Missouri introduce resolutions in their respective chambers calling for an amendment specifying that the individual states would be divided into districts for the purpose of selecting electors. At the same time, Robert Hayne, senator from South Carolina, also proposed an amendment that would prevent contingent elections from devolving to Congress. Addressing his fellow senators, Hayne gave an impassioned plea for the resolution. Noting the number of plans previously introduced in both Houses, he stated that he was "opposed, in habit and principle, to rush innovations. But," he continued, "though it certainly is not proper to change the Constitution for light and frivolous causes, yet the necessity certainly may exist to authorize such changes as

⁷ Moore, Guide to Elections, 346. Interestingly, noted historian Richard McCormick reports that Alabama and Missouri had adopted selection of electors on a general ticket from the first elections they participated in. Although commonly accepted as fact, this is untrue. Consequently, McCormick does not address the political or democratic motives behind the change in either state. See McCormick, Second Party System, 289-304.

will tend to the future security of the country. The necessity of some change at present, is too obvious to be disregarded. It is the duty of nations, as well as of individuals, by foresight, to guard against impending evils.” Although South Carolina never had shown any inclination to give the choice of electors to the people – indeed Hayne declared that “so many different propositions had been offered in regard to the manner of choosing Electors, that it had been thought proper to waive that subject” – the man better known historically as the champion of Calhoun’s *South Carolina Exposition and Protest* and apologist for slavery based much of his argument on democratic principles, at least on the surface.

In all the modes by which elections are chosen, they represent the true feelings and views of the people. But this truly popular mode of election may fail, because the choice does not happen to be made at the first balloting. The election ought not to come to the House of Representatives or the Senate; for they are but the representatives of the States in such an election, and it may happen that a small minority may give a President to the nation On the failure of the first balloting to produce a choice, proceed to the second, and continue until the election is effected If it [the amendment] is adopted, the President will then be shut against fraud and corruption, and all improper combinations will be prevented. Should Congress agree to the resolution, and the people adopt the Amendment, it would not be too late for its application to the ensuing election.⁸

Although neither Hayne nor McDuffie mentioned Calhoun’s candidacy, it becomes clear that they were concerned their fellow South Carolinian did not have enough votes to win outright and thought it unlikely he would fare well in a House election.

On December 29, another voice weighed in on the issue. Martin Van Buren, senator from New York, introduced another version of the amendment, focusing on

⁸ Annals of Congress, 18th Cong., 1st sess., 32-33, 39-46, 849-65.

allowing the people to directly vote for electors through districts. Under Van Buren's plan, the Electoral College would vote once, and if no one received a majority, it would meet and vote a second time. For the second ballot, the two candidates with the highest totals would be the sole choices. If after the second vote there was a tie, the election would devolve on the House of Representatives. This plan, according to Van Buren, would be the most democratic and the most reflective of the public's will.⁹

Debates on amending the Constitution continued throughout the months of January, February and March 1824. Because so many different versions were subsequently introduced, a Senate select committee was created to study all of the proposals and report back to the Committee of the Whole. At that time, the proposal would be presented as a joint resolution to both Houses. Senator Benton summed up the select committee's proposal as one with "four distinct propositions:"

1. To divide the United States into Electoral Districts.
2. To discontinue the use of intermediate Electors.
3. To commit the election to a direct vote of the people.
4. To continue the umpirage of the House of Representatives, in all cases, in which no candidate clearly has received a majority of the whole number of votes.

In other words, the people would directly elect the president, but votes would not be counted as such. Instead, each district would have an "elector" whom a candidate could win by plurality, and the candidate with a majority of "electors" would win the presidency. If no candidate garnered a majority of electoral districts, the House would choose the president. As it was designed, the amendment really had no chance of

⁹ Annals of Congress, 18th Cong., 1st sess., 74.

passing. For instance, Hayne, McDuffie and their supporters would object to the last provision. Men like Van Buren, despite supporting change in the previous months, would disagree on the grounds that they were being hasty. Van Buren, in a speech on the Senate floor, argued that he was in favor of some amendment to the electoral clause of the Constitution, but the one presented needed much alteration. Would it not be better, he asked, to wait until the next session when they would have more time to debate and study the issue? Throughout these three months, Congressmen repeatedly stated that they could see the need for change, but none could agree to the same ideas. Where one could not abide the thought of the House making the ultimate choice in contingent election, another would claim, as did Nathaniel Macon of North Carolina, “. . . The President had always been, with the exception of General Washington, elected by Congress If the members of Congress did not act in caucus, they would influence the people in some other way. The people were always writing to the members to get their opinion upon different candidates, and their opinions would have great effect Congress . . . will elect the President, be the Constitution what it may.” In other words, Macon could not see that it made much difference. Let Congress choose in caucus and be done with it. Apparently, most agreed that some uniform method among the states was desirable, but they did not agree on which method that should be. In the end, both Houses voted to “postpone the subject indefinitely.”¹⁰

¹⁰ Annals of Congress, 18th Cong., 1st sess., 100-02,154-60, 165-204, 326-28, 354-418, 1067-1082.

In those states that changed their method of selection, Alabama, Indiana and Missouri, there was little controversy over the issue. Alabama was a relatively new state, joining the Union on December 14, 1819. In general, Alabama had much in common with those states that comprised the Old South – the Carolinas, Georgia, and Virginia. This was due to the fact that the original settlers came largely from these states. Additionally, Alabama relied heavily on cotton and slavery in many regions – especially the Tennessee River Valley and in the Black Belt region that stretched across the center of the state. In between the two areas, though, slavery was limited; thus, there existed a conflict between “black” and “white” counties. Besides the distinct separation between the regions in the state, Alabama also offered another difference from other states of the Old South. The state constitution reflected democratic, western ideals more than republican, southern ideals. The people popularly elected all state, county, and federal officials. Historian Richard McCormick states:

Whereas in the states of the Old South, constitutions were framed with a view to protecting the privileged position of some particular groups or sections, the Alabama constitution was produced by a new community that had not yet had time to organize itself into hostile or apprehensive elements. It was, therefore, based on the necessary assumption that each white man was politically the equal of every other.¹¹

Alabama’s shift to choosing electors popularly on a general ticket occurred not so much because of the election of 1824, but because of the democratic leanings of the state as a whole and the influence of Israel Pickens. Pickens, previously a representative from

¹¹ McCormick, Second Party System, 287-9. For a complete discussion of the political and social development of Alabama, see Albert B. Moore, History of Alabama and Her People, 3 vols. (Chicago: The American Historical Society, Inc., 1927), 1: 126-66.

North Carolina in the House of Representatives where he had sponsored several of the early resolution calling for popular selection of presidential electors throughout the country, became the governor of Alabama and wielded a great deal of personal and political power. In 1820, Alabama choose its electors through the state legislature purely as a matter of expedience. This was changed by previous agreement at the constitutional convention to popular selection at large. This is not to say that attempts were not made to adjust the state's electoral laws. The contest between Jackson and Adams almost divided the state between the two distinct regions. The "Georgia Machine," which favored Adams if Crawford could not win, conceded that Jackson would win in the northern section of the state and more than likely would gain a plurality of the state's popular vote as a whole. Thus, Adams supporters sponsored a senate resolution in September 1823, calling for the voters to choose electors by district. In this way, perhaps Adams would win two of the state's five electors. The "Champions of the People," however, defeated the plan. Jackson's popularity among the citizen's of Alabama ended up being so great, that when the legislature declared him to be the choice of the state caucus, those who voted against him felt the need to go on record saying they did not oppose him, per se, just the nomination as a legislative action.¹²

¹² Alabama, Senate Journal, 1823, 12, 82; Alabama, House Journal, 1823, 77, 120-25; Alabama Republican, 26 September 1823; Greensboro Halcyon, 1 November 1823; Albert J. Pickett, History of Alabama (New York: University Publishing Co., 1900), 653-54; Cahawba Press, 18, 28 June 1824, 7 July 1824; Moore, History of Alabama, 166-67; W. Brewer, Alabama: Her History, Resources, War Record, and Public Men, From 1540 to 1872 (Montgomery: Barrett & Brown, Steam Printers and Book Binders, 1872), 47; Thomas P. Abernathy, The Formative Period in Alabama, 1815-1828 (Montgomery: The Brown Printing Co., 1922), 107-08.

Thus, the election of 1824 in Alabama, and its method of elector selection, was not decided on the presence of party politics – the state had not yet developed sufficiently to need political parties – nor on account of pressure from the two established groups, the “Georgia machine” and the “Champions of the People,” although not for lack of trying. The majority of voters overwhelmingly backed Jackson popularly and electorally. Jackson received 9,429 votes (69.3 percent) to 2,422 (17.8 percent) for Adams, 1656 (12.2 percent) for Crawford, and 96 (0.7 percent) for Clay. This gave Jackson all five of Alabama’s electoral votes, and the state’s three congressmen all cast their votes for the General in the House election. The impetus for change and the behavior of politicians, then, reflected a commitment to democratic ideals rather than political manipulation.

Like Alabama, Indiana was a somewhat new state, having joined the Union in 1816. Most settlers came to the state from the South, but they were more typically poor yeoman farmers instead of the plantation variety. For the first two elections in which the state participated, 1816 and 1820, the legislature chose the electors. Strong factions controlled politics in Indiana and national party identification did not figure prominently in any elections except presidential. Even then, differences more often centered on character rather than party. The three leading politicians in the state were Jonathan Jennings, the first governor, William Hendricks, the first U.S. representative, and James Noble, one of the first U.S. senators. Prior to the 1824 presidential election, Jennings, Hendricks and Nobel were so powerful, no factions developed to challenge their influence. This harmony was disturbed in 1824, when state politicians split their support between Adams and Clay. Indeed, in the state legislature electoral tickets for each man

were drawn up and published for the voters. Jackson, although a favorite among the people, received little support from Indiana state officeholders. He did, however, gain the backing of Elihu Stout, founder and editor of the Vincennes Western Star. Stout used his paper to tout the character and patriotism of Jackson. In an unprecedented move, Stout called for a state convention to select electors, and advocated allowing the people to directly vote for the slate of their choice. In this way, he reasoned, the process would be opened up to wider scrutiny and public participation. Although only thirteen of fifty-one counties were represented, the scheme succeeded in giving stature and exposure to Jackson and involving people in the process who were not aligned with the state's power brokers. Using his paper as a platform, Stout railed against the old caucus system, the methods of Governor Jennings, and the intrigues of Washington. After the barrage of publicity, a resolution for selection of electors on a general ticket was passed and signed into law on 14 January 1824. Little debate was recorded on this change, but the pressure applied by Stout undoubtedly was extremely effective.¹³

Despite the apparent bias against Jackson held by the state politicians, he secured the five electors available after winning a plurality of the votes in the general election. Although only 37 percent of the population turned out, Jackson was undeniably the people's choice. He received 7,444 (47 percent) votes, compared to Clay's 5,316 (33.6 percent) and Adams' 3,071 (19.4 percent). Although they did not support him in the general election, all of Indiana's representatives voted for him in Washington.

¹³ McCormick, Second Party System, 270-73; Hopkins, "1824," 375-76; Vincennes Western Star, 29 March 1823, 24 September 1823, 15 October 1823.

Technically, they could have reasonably placed their votes with Adams since Jackson did not win a majority of the popular vote. Previously, though, a debate had ensued over the “right of instruction,” with the consensus among the state legislature that a representative, state and national, should vote as his constituents wanted or resign. With this in mind, they followed the public’s will.¹⁴

Missouri, the last of the three states to change their electoral laws, followed much the same pattern as the first two. Having hastily set up a method of choosing electors through legislative action in 1820, the state legislature quickly established itself as both democratic and reform-minded as it prepared for the election of 1824. At that time, Missouri changed the law to provide for popular vote through districts. This is not surprising since the most influential man in Missouri politics was Thomas Hart Benton, a man who, according to McCormick, “for three decades dominated political affairs in the state to a degree that has rarely, if ever, been equaled.” Benton’s faction, based in St. Louis, was so powerful that party development in the state was non-existent during his lifetime. Born in North Carolina and a previous resident of Tennessee, Benton was an advocate of western development and Missouri statehood with slavery protected. He, along with David Barton, Missouri’s other senator, and Representative John Scott, enthusiastically supported the popular choice of electors and clearly meant the choice to be Henry Clay. Although considered economically conservative, Benton was a champion of voting rights, supplementing the change in electoral law at the state level with his

¹⁴Logan Esarey, History of Indiana, From It Exploration to 1850 (Indianapolis: W.K. Stewart Co., 1915), 219.

national call for direct popular election of the president and vice president. As stated earlier, Benton was one of the first to submit a resolution calling for a vote by the people “in their primary assemblies,” referring to his proposed division of the country into national electoral districts.¹⁵

The presidential contest in Missouri did not garner much enthusiasm among the people. Out of approximately 16,000 eligible voters, only one-fifth voted in the presidential contest. Only 3,432 votes were cast, with a clear majority given to Clay, who received 2,042 or 59.5 percent. Jackson, with 1,166 (34 percent) seemed to be the second choice of the people, since Crawford received no votes and Adams only 159 (4.6 percent). With Clay out of the running, Benton swung his support to Jackson. During the House election, though, Scott cast Missouri’s lone vote for Adams. The controversy that arose from this vote did more than anything to turn Benton to the Jacksonian faction, push the Missouri legislature to change from selection of electors by district to a general ticket and – as will be explained in the next chapter – it became part of the outrage directed toward Adams during the next four years.¹⁶

¹⁵ Missouri Republican, 12 July 1824, 9 August 1824; Missouri Intelligencer, 13, 27 March 1824, 4, 13 September 1824; Independent Patriot, 22 May 1824; McCormick, Second Party System, 304-05; Annals of Congress, 18th Cong., 1st sess., 32-33; William Nisbet Chambers, Old Bullion Benton, Senator from the New West, Thomas Hart Benton, 1782-1858 (Boston: Little, Brown, 1956), 65-66, 72-77; Edwin C. McReynolds, Missouri: A History of the Crossroads State (Norman: University of Oklahoma Press, 1962), 122-23.

¹⁶ Journal of the Senate of the State of Missouri at the Third General Assembly, 43; Missouri Intelligencer, 29 March 1825, 12 April 1825; Laws of a Public and General Nature, of the District of Louisiana, of the Territory of Louisiana, of the Territory of Missouri, and of the State of Missouri, up to the Year 1824, 2 vols. (Jefferson City: W. Lusk & Son, 1842), 1: 640, 1004-5; 2: 1-2.

Unlike in the other states, elector selection was a major issue in 1824 for New York voters. Factions of the Democratic Republican party transparently used their power and influence to gain the advantage for their candidate of choice. New York politics can best be described as, at times, almost incomprehensible. McCormick writes:

“Bewildering shifts in party allegiance of prominent politicians, violent factional strife, intense preoccupation with the spoils of office – these were but the more obvious features of the political scene.” At the time of the election, there were two basic factions operating in the state, the Clintonians and the Bucktails, both of who claimed to be the legitimate heirs of the Jeffersonian Republicans. The Clintonians were a loose coalition of personal followers of former, and future, Governor DeWitt Clinton, old Federalists, and a large number of Republicans from western counties who supported Clinton because of his Erie Canal patronage. Martin Van Buren and his friends, commonly known as the Albany Regency, led the Bucktails, so-called because leaders of the Tammany Society (a New York City political organization that supported Van Buren) wore bucktails on their hats when they attended political meetings. Members of the Bucktail faction were old Democratic Republicans and former Federalists who personally disliked Clinton and who had opposed his policies over the previous decade.¹⁷

¹⁷ McCormick, Second Party System, 104, 111, 112; Nichols, Invention of Parties, 268-69; DeAlva Stanwood Alexander, A Political History of the State of New York (New York: Henry Holt and Co., 1906), 321-23. A complete discussion of the division between the factions can be found in Jabez Hammond, The History of Political Parties in the State of New York, from the Ratification of the Federal Constitution to December, 1840, 4th ed., 2 vols. (Buffalo: Phinney, 1850), 1: 406-534.

The battle for New York's thirty-six electors really took place over a two-year period and revolved more around these two factions than democratic principles, although these did play a role. The Bucktails, after gaining control of the New York state legislature – specifically the Assembly by a small margin and the Senate overwhelmingly – and the position of governor in 1822, wholeheartedly supported Crawford, while the Clintonians supported Adams. Interestingly, Clinton himself supported Jackson, but his was a minority view. Men on both sides supported Clay, but not in enough numbers to make him a serious candidate to win all of the state's votes. During the 1823 session of the legislature, the Clintonians introduced a bill calling for popular election of electors by districts. Ironically, the same Clintonians had opposed the adoption of the 1821 state constitution, which broadened suffrage and made state offices and positions open to the people instead of being controlled by party interest. This opposition was what cost Clinton the position of governor and the faction its control of the legislature. The circumstances which led the Clintonians to sponsor the democratic proposal in 1823 was personal, though, not idealistic. As far back as 1822, a split had been growing between Van Buren and John C. Calhoun. Although “an open rupture” was avoided, the two men's dislike for each other continued to grow and it spilled over into New York state politics. Believing that there was a large faction in New York who favored him, in early 1823 Calhoun contacted some of his leading supporters in the state and suggested they expose the Van Buren-Crawford connection. In a letter to General Joseph G. Swift, Calhoun urged them to attack Van Buren and Crawford as “intriguers” who needed to be “put down.” In this way, Van Buren would be thwarted in his attempt to give the state's

entire vote to Crawford, while lessening his personal influence throughout the state and country. With Calhoun's request in mind, his supporters founded a newspapers called The Patriot, whose sole purpose was to promote the South Carolinian and change New York's electoral law to give the vote for presidential electors to the people, where hopefully Calhoun would gain an advantage. Although Calhoun would drop out of the presidential contest, the new coalition continued to support the reform and identified themselves as the "People's Party."¹⁸

The Bucktails, widely known as champions of democratic reform, were placed in the position of supporting the proposal and giving up the appointment of electors favorable to Crawford, or opposing the plan and maintaining control of the electors but appearing hypocritical to the people who had given them their majority. The Bucktails made the first of several mistakes – they opted to straddle the fence and so instructed their representatives. Throughout the summer and early fall, party newspapers around the

¹⁸ Alexander, Political History of New York, 323-25; Nichols, Invention Of Parties, 268-69; Martin Van Buren, The Autobiography of Martin Van Buren, ed. by John C. Fitzpatrick (1920; reprint, New York: Augustus M. Kelley Publishers, 1969), 514; John C. Calhoun to General J.G. Swift, 29 April, 10 May 1823, cited in Thomas R. Hay, "John Calhoun and the Presidential Election of 1824; Some Unpublished Calhoun Letters," American Historical Review 40 (October 1934): 84-86; John Ellicott to General Blackshear, 4 September 1822, cited in J.E.D. Shipp, Giant Days, or the Life and Times of W.H. Crawford (Americus, Ga.: Southern Printers, 1909), 171; Thomas R. Hay, "John Calhoun and the Presidential Election of 1824," The North Carolina Historical Review 12 (April 1935), 32; Joseph Gardner Swift, The Memoirs of General Joseph Gardner Swift (Worcester, Mass.: Press of F.S. Blanchard & Co., 1890), 192; Hammond, History of Political Parties in New York, 2: 130; Robert V. Remini, Martin Van Buren and the Making of the Democratic Party (New York: Columbia University Press, 1959), 39-40. Calhoun's correspondence suggests that his efforts to influence the outcome in New York and elsewhere was quite extensive. See Albert Ray Newsome, "Correspondence of John C. Calhoun, George McDuffie and Charles Fisher, Relating to the Presidential Campaign of 1824," The North Carolina Historical Review 7 (October 1930): 477-504.

state carried the debate on the issue. The New York American claimed that the will of the people might be obstructed because members of the legislature, sometimes chosen a year in advance of the election, were “exposed to the arts of seduction and to the influence of unprincipled politicians.” To prevent the splitting of the state’s vote, diminishing their strength, the same newspapers also clamored for a general ticket rather than electoral districts. As the Assembly and Senate took up the issue, the rhetoric increased. The Albany Argus, devoted to Bucktail principles, claimed that it was not wise to change a law passed by “wise forefathers,” that “there is not a solitary indication that the people demand it or are prepared for it,” and that it was just a ploy to put DeWitt Clinton into position to run for president himself. Governor Joseph Yates followed the Bucktail line. Saying that although he was in favor of the idea, he thought that there was not enough time to address the issue properly; and, given the debate currently in Congress, it would be better to wait before deciding the issue. Historian Robert Remini summed up the Bucktail's dilemma succinctly:

The majority of men chosen to sit in the legislature in November, 1823, were those who had openly promised to revise the existing law. Fortunately, a sufficient number of them were Van Buren men so that the Regency majorities in the Assembly and Senate were preserved intact. But their dilemma was immediately apparent: whether to cut their own throats by honoring their pledges, or break their promise and invite the people to cut their throats for them.

Although the Assembly passed the resolution with a bare majority, the state Senate killed it – thereafter, those Bucktails who voted against popular choice were known as the “Immortal Seventeen” – and public furor swept the state. To make matters worse, the Bucktails, in their arrogance and desire to remove Clinton from the public eye for good,

removed the former governor from his position on the Erie Canal Commission around the same time period. Van Buren, by all accounts unaware of the move, in his autobiography regretted the action, saying, “There is such a thing as killing a man too dead.”¹⁹

The chronology of the preceding events brings up an intriguing interpretation of Van Buren’s motivations and actions during the fall and winter of 1823, with regard to not only the November state elections in New York, but also the concurrent Senate debate on the proposed constitutional amendments in December. Robert Remini, in Martin Van Buren and the Making of the Democratic Party, makes this connection:

In submitting his amendment, Van Buren spoke at length against a completely centralized government and affirmed his conviction that it should never be released from its dependence on the states. Then he proceeded to comment on the provision of his amendment. His arguments sounded very democratic but his motives were purely political. He was attempting to provide an excellent answer to those in the states who were trying to anticipate Congressional action by amending their own electoral laws. The Regency might now appeal to New Yorkers to delay changing their law and allow the federal government to make the necessary revisions. Since it would take years to ratify an amendment, the election of 1824 would not be affected.

The record of events, though, leads one to conclude that Van Buren’s actions were deeper than this. He was trying to control damage to his faction when he introduced his resolution on 29 December. The previous month’s elections, according to Van Buren’s

¹⁹ Alexander, Political History of New York, 325-28; Remini, Van Buren, 41-42; Charles Grier Sellers, The Market Revolution: Jacksonian America: 1815-1846 (New York: Oxford University Press, 1991), 194, 196-97; Hopkins, “1824,” 372; New York American, 28 July 1823, 8 October 1823; The Patriot, 19, 21, 27 June 1823, 3, 14 July 1823, 6 August 1823, 17, 18, 22 September 1823, 1 October 1823; Albany Daily Advertiser, 16, 18, 26 September 1823; New York Statesmen, 27, 30 June 1823; Albany Argus, 8 July 1823, 23 December 1823; Michael Wallace, “Changing Concepts of Party in the United States: New York, 1815-1828,” American Historical Review 74 (December 1968): 465; Van Buren, Autobiography, 144.

contemporary Jabez Hammond, were greatly influenced by the debate on changing the electoral law. The Bucktail candidates openly supported repeal of the electoral law because of the public's support for direct election. No one, said Hammond, "dared to avow his opposition to the measure." Van Buren, the leading spokesmen for the Regency-led Bucktails, provided political cover for his followers when he took action at the national level. The timing was not coincidental. Governor Yates' support of reform, only if the national legislature did not act, followed immediately after the introduction of the Van Buren resolution, and the wording he used was suspiciously similar. Unfortunately for Van Buren, the public, educated by the People's Party-controlled press, was not fooled. Regardless, the Bucktails were perceived as hypocritical, calling for one action at the national level, but denying the need for it in their own state.²⁰

Perhaps if the Bucktails had not removed Clinton at the same time that they defeated the electoral bill, this situation would not have spun so wildly out of control. True, the senators who voted to kill the bill were castigated publicly – some were hanged and burned in effigy – but they were also perceived as men of strong party principles, even "heroes." The removal of Clinton, though, was "an electric shock in the whole community" according to Hammond, and a "flagrant and wanton violation of public trust" reported John Jenkins, another contemporary. The New York Evening Post and Niles Weekly Register reported on a rally held at the New York City Hall where thousands of people came out to show support for Clinton. Calling the removal

²⁰ Remini, Van Buren, 45; Hammond, History of Political Parties in New York, 2: 131.

“envenomed malignity,” the Post warned that the act would not go unpunished. The Bucktail combination of state and presidential politics doomed the party’s hopes of controlling the state’s electors, even if they were unaware of it at the time.²¹

Clinton, seen now as a martyr, became the gubernatorial nominee and standard-bearer for the People’s Party, while the Bucktails tried to distance themselves from the furor by sacrificing Governor Yates. In order to deflect criticism for the failure of the electoral proposal and Clinton’s dismissal, the Bucktails placed the blame on Yates and refused to renominate him for the position, instead putting forth Samuel Young. Furious about the “betrayal,” Yates then paid his faithless party back by calling for a special session of the legislature to meet in August for the express purpose of taking up the issue of the selection of electors. Noting the failure of the national Congress to act on the issue, Yates called on the state’s assemblymen to answer the people’s call for democracy. Thurlow Weed, a leader of the People’s Party, took credit for having tricked Yates into calling the session. Recounting the tale in his autobiography, Weed claimed that he told the Governor that Samuel Talcott, a prominent Bucktail, had said that Yates did not have enough courage to take action and call for the special session. When the Governor heard the remark, he jumped up and, according to Weed writing in third person, the following

²¹ Albany Daily Advertiser, 8 April 1824; New York Statesmen, 13 April 1824; Ransom Hooker Gillette, The Life and Times of Silas Wright, 2 vols. (Albany: The Argus Company, 1874), 1: 59; Hammond, History of Political Parties in New York, 2: 163; John S. Jenkins, History of Political Parties in the State of New York, From the Acknowledgment of the Independence of the United States to the Close of the Presidential Election in Eighteen Hundred Forty-Four (Auburn: Alden & Markham, 1874), 292; New York Evening Post, 4, 20 April 1824; Niles Weekly Register, 24 April 1824.

exchange took place:

“Talcott said dat [sic] it will require decision and nerve to write a proclamation, did he?”

“That is my information,” Weed replied.

“Well, I’ll show dat [sic] I possess decision and nerve enough to do right.”

Although nothing was accomplished, the People’s Party and its leadership, particularly

James Tallmadge and Weed, used the platform to generate public support for the

upcoming state elections. New York Historian DeAlva Alexander sums up the process:

. . . the Regency, in insisting on the choice of electors by the Legislature, had given the opposition the most telling cry it could possibly have found . . . that the popular tumult over Clinton’s removal was growing from day to day. . . . Two weeks before the election, it was evident to everyone that the Regency was doomed, that Van Buren was disconcerted, and that Young was beaten In other words, the election of 1822 had been completely reversed.²²

The Bucktails’ staggering defeat at the polls – they lost control of the legislature and all major positions at the state level – left New York in virtually the same position as it had been in November of 1800. The holdover legislature would choose the electors in spite of the public’s express desire for change. Under New York law, each chamber was responsible for nominating a full slate of electors. If there were differences, the houses would next meet in joint convention and reconcile the differences between the two. The initial votes of both chambers were as follows:

²² Alexander, Political History of New York, 326-33; McCormick, Second Party System, 115-16; Lucius Wilmerding, The Electoral College (New Brunswick, N.J.: Rutgers University Press, 1958), 51-2; Charles Z. Lincoln, ed., Messages from the Governors, 9 vols. (Albany: J.B. Lyon Co., 1909), 3: 41-43; Register of Debates, 19th Cong., 1st sess., 1401; Remini, Van Buren, 63-63; Wallace, “Changing Concepts of Party,” 466; Thurlow Weed, Autobiography of Thurlow Weed, ed. by Harriet A. Weed (Boston: Houghton Mifflin, 1883), 115.

	<u>Senate</u>	<u>Assembly</u>	<u>Combined</u>
Crawford	17	43	60
Adams	7	50	57
Clay	7	32	39

Since the law required that the winner receive a majority vote, the Assembly had to re-vote three more times before the joint convention could even begin. Threats flew from all sides. To end the deadlock, some Crawford men let it be known that they would support Adams, thereby eliminating Clay from contention. Clay supporters, fearing they would be shut out at the joint convention, switched first, giving Adams the majority and moving the process to the reconciliation phase. Once there, the differences were intensified. In order to win all of the electors for the state, a candidate would need seventy-nine votes to gain a majority. As illustrated above, none were close. Van Buren, hoping to sway the convention to Crawford, tried to convince Clay to withdraw as a presidential candidate and give his votes to Crawford, assuring the Kentuckian that the vice-presidency was his. Given Crawford's bad health, Van Buren insinuated, this would place Clay extremely close to the presidency. Clay showed some interest, but the ploy came to fruition.²³

Weed, referred to by historian James Hopkins as "a journalist later famed as a political manipulator," brokered a plan that all sides eventually agreed to. New York would split its electoral votes. The Bucktail contingent was so weakened and in such disarray that despite having the support of a plurality of legislators, when the voting

²³ Wilmerding, Electoral College, 46; Nichols, Invention of Parties, 270-73; Hopkins, "1824," 372-73; Stanwood, History of the Presidency, 1: 133-34; Alexander, Political History of New York, 338-41.

began (see above), only four Crawford electors were selected by the joint committee. Twenty-five Adams men were chosen, along with seven Clay supporters. The Bucktails had been decisively defeated, but this was not the end of the intrigue. Clay supporters believed that his seven votes, plus four secret votes – pledged to him by the Adams faction for supporting their choice of electors – would give him enough electors nationally to be eligible for the contingent election in the House of Representatives. When the electors met, however, those from New York cast twenty-six for Adams, five for Crawford, four for Clay, and one for Jackson. The faithless Clay electors cost him his position in the House election. Since New York did not require bound electors, the controversy in that state could have ended with little more comment. After all, Clay supporters were responsible for enforcing party discipline on the electors. But, all sides were bitter at the outcome of the voting. Crawford men felt that their candidate had been betrayed by a coalition of Adams-Clay supporters from the outset. Ignoring their own faithless electors, Clay backers claimed that the four secretly pledged votes never materialized and cost Clay the chance of having his name placed before the House of Representatives. With those four electors, his national total would have been equal to Crawford. Thurlow Weed had verbally promised them enough electors to get Clay into the House election. What happened to their promise? Adams men retorted that those four electors were only pledged to Clay if he carried the state of Louisiana. Since he did not, they were free to support Adams. Obviously, there had been miscommunication on both sides. The political maneuvering in New York was the immediate cause of the change to selection of electors by district in that state, enacted on 15 March 1825, and

would become the basis for much of the debate over another attempted constitutional amendment in 1826.²⁴

With the absence of true two-party politics in the country, the election of 1824 was fought by political factions who supported one candidate or the other based on personal preferences and principles. With the exception of New York and Alabama, little discussion about the method of choosing electors took place. Those states that did change methods – Alabama, Indiana, Missouri – seemed to have done so for democratic reasons. At the national level, though, the issue once again became a debating point leading up to the election. The hostility generated by the outcome of the House of Representative's ultimate choice compared to the perceptions held by the people, though, cast doubts on the equity of the current system and led to not only the development of the Jacksonian Democratic party, but also to memorable confrontations in the following two sessions of Congress, where not only was the method of selecting electors brought into question, but the role of the House in the process came under a great deal of fire as well.

²⁴ Hopkins, "1824," 373; Stanwood, History of the Presidency, 1: 134; Nichols, Invention of Parties, 274-75; Wilmerding, Electoral College, 51-52, 178-79; Hammond, History of Political Parties in New York, 2: 177; Van Buren, Autobiography, 145; Epes Sargent and Horace Greeley, "Henry Clay," in Makers of American History: John Caldwell Calhoun, by John S. Jenkins; Daniel Webster, by Edward Everett; Henry Clay, by Epes Sargent and Horace Greeley, abridged and annotated by John R. Howard (New York: University Society, 1904), 36; Calvin Colton, The Life and Times of Henry Clay (1846; reprint, New York: Garland Publishing, 1974), 292; McCormick, Second Party System, 116; Alexander, Political History of New York, 338-43; Archie Baxter, ed., General Index to the Laws of the State of New York, 1777-1901, Both Dates Inclusive, 3 vols. (Albany: J.B. Lyon Co., 1902), 2: 53; Remini, Van Buren, 81-82; Roseboom, History of Presidential Elections, 83.

CHAPTER FOUR

THE PERCEPTION OF CORRUPTION AND PARTY FORMATION FOLLOWING THE CONTROVERSY OF THE 1824 PRESIDENTIAL ELECTION

The outcome of the 1824 presidential election was unsatisfactory to the politicians of all factions, the public at large, and the participants themselves. As a result, the political environment underwent major changes in the three years leading to the 1828 election. First, the perception of corruption in the House voting spurred anti-Adams men throughout the country to set up party apparatus at the state level to promote their ideas and Andrew Jackson, the figurehead of the newly emerging Democratic party. In addition, two states, Louisiana and New York immediately changed their electoral laws to popular voting for electors, on a general ticket in the former and on a district ticket in the latter, in order to end the perceived inadequacies of the past election. Finally, the dissatisfaction was so great that Congress once again took up the issue of amending the Constitution in regard to selection of presidential electors. Although many historians have disagreed on the merits of the Jacksonians' argument – that John Quincy Adams, aided by an unscrupulous Henry Clay, stole the election from Andrew Jackson and the American people – the fact remains that a significant number of politicians and a majority of the general populace agreed with the supposition and were determined to prevent a

recurrence of the past year's events. If the Constitution could not be amended, the change had to be initiated at the state level.¹

The appointment of Henry Clay to the position of Secretary of State provided both reformers and Jackson advocates – in many instances unnatural allies – with evidence that the system was broken beyond redemption. Although the evidence pointing toward a pact between Clay and Adams, in which Clay delivered the votes Adams needed to win the presidency in exchange for the coveted appointment, is inconclusive, many otherwise neutral observers understood the perception would outweigh any evidence to the contrary. One particular opponent of the appointment was the outgoing president, James Monroe. In a memorandum, Monroe took great pains to distance himself from the controversy and let it be known that he opposed the appointment because of how it would look to the public. After recounting a series of

¹ Some excellent accounts of various historiographical positions can be found in accounts of the Jacksonian period. For example, see Claude G. Bowers, Party Battles of the Jackson Period (Cambridge, Mass.: The Riverside Press, 1922); Marquis James, Andrew Jackson: Portrait of a President (Indianapolis: Bobbs-Merrill Co., 1937); Arthur M. Schlesinger, Jr., The Age of Jackson (Boston: Little, Brown and Co., 1945); Edward Stanwood, A History of the Presidency, 2 vols. (Boston: Houghton Mifflin Co., 1924); James F. Hopkins, "The Election of 1824," in History of American Presidential Elections, 1789-1968, vol. 1, ed. by Arthur M. Schlesinger, Jr. and Fred L. Israel (New York: McGraw Hill Book Co., 1971); Richard P. McCormick, The Second American Party System: Party Formation in the Jacksonian Era (Chapel Hill: The University of North Carolina Press, 1966); Robert V. Remini, Andrew Jackson and the Course of American Freedom (1981; reprint, Baltimore: The Johns Hopkins University Press, 1998); Robert V. Remini, Martin Van Buren and the Making of the Democratic Party (New York: Columbia University Press, 1959); Harry L. Watson, Andrew Jackson vs. Henry Clay: Democracy and Development in Antebellum America (Boston: Bedford/St. Martin's, 1998); and Richard I. Stenberg, "Jackson, Buchanan, and the 'Corrupt Bargain' Calumny," in Pennsylvania Magazine of History and Biography 8 (October 1934): 61-85.

meetings between 11 February and 14 February 1825, Monroe concluded:

I felt very much disturb'd by it, from a belief that it would produce, a very unfavorable effect, on M^r Adams, & the public, as well as M^r Clay. It was known that the people of Kentucky preferr'd Gen^l Jackson to M^r Adams, & that a like preference was given to him, by the people of some of the other western States, whose members had voted for M^r Adams. I doubted whether, notwithstanding the impression which he had made on my mind, that he had already taken the step, I ought not, to have communicated to him the objections which occur'd to me against it, & was particularly anxious that he sho^d draw more inference from my silence that I approved the measure. To ascertain the fact, I requested an interview at a very early hour, this morning [12 February], with [left blank] who was, I knew, of the same opinion with me, as to the *impropriety of such an appointment*, & requested him on *an intimation of its danger*, to see M^r Adams

Clearly, Monroe was concerned with how this appointment would affect the next administration's ability to lead and how it might shift political alliances in the future. In his memoirs, Adam openly stated that he was aware of the dangers associated with the appointment, but steadfastly refused to alter his decision.²

Monroe's reading of the political climate was correct. A study of the different votes – electoral and House – shows many inconsistencies. These anomalies can be, and

² Barnes F. Lathrop, ed., "Monroe on the Adams-Clay 'Bargain,'" American Historical Review 42 (January 1937): 276; John Quincy Adams, Memoirs of John Quincy Adams, Comprising Portions of his Diary From 1790 to 1848, edited by Charles Francis Adams, 12 vols. (Philadelphia: J.B. Lippencott, 1874-1877), 6: 506-07. Italicized words within Monroe's memorandum are mine. See Stenberg, " 'Corrupt Bargain' Calumny," 61-85, for a balanced account of the roles played by all parties. Based on correspondence and memoirs, he concludes that both Adams and Jackson friends approached Clay with the offer; thus, both sides, especially Jackson who seems to have conveniently overlooked the actions of his spokesmen, were guilty of using the position as a bargaining chip. Stenberg, noting that it was Clay and Adams who received the notoriety from the incident, faults Jackson for his hypocrisy, yet seems to admire his political astuteness, ending his analysis writing, "Jackson stands out more and more as the most remarkable and fascinating man of the period – the American Napoleon, combining in his character indomitable energy and ambition with amazing craft and boldness."

were, interpreted in a way that lent credence to the Jacksonian belief that the election was tainted.

TABLE 3. COMPARISON OF ELECTORAL COLLEGE VOTING AND HOUSE VOTING BY STATE, 1824

State (# of Electoral Votes)	Electoral Vote by Candidate				House Vote by Candidate		
	JQA	AJ	WHC	HC	JQA	AJ	WHC
Alabama (5)	—	5	—	—	—	3	—
Connecticut (8)	8	—	—	—	6	—	—
Delaware (3)	1	—	2	—	—	—	1
Georgia (9)	—	—	9	—	—	—	7
Illinois (3)	1	2	—	—	1	—	—
Indiana (5)	—	5	—	—	—	3	—
Kentucky (14)	—	—	—	14	8	4	—
Louisiana (5)	2	3	—	—	2	1	—
Maine (9)	9	—	—	—	7	—	—
Maryland (11)	3	7	1	—	5	3	1
Massachusetts (15)	15	—	—	—	12	1	—
Mississippi (3)	—	3	—	—	—	1	—
Missouri (3)	—	—	—	3	1	—	—
New Hampshire (8)	8	—	—	—	6	—	—
New Jersey (8)	—	8	—	—	1	5	—
New York (36)	26	1	5	4	18	2	14
North Carolina (15)	—	15	—	—	1	2	1
Ohio (16)	—	—	—	16	1	2	2
Pennsylvania (28)	—	28	—	—	1	25	—
Rhode Island (4)	4	—	—	—	2	—	—
South Carolina (11)	—	11	—	—	—	9	—
Tennessee (11)	—	11	—	—	—	9	—
Vermont (7)	7	—	—	—	5	—	—
Virginia (24)	—	—	—	24	1	1	19
Totals (261)	84	99	41	37	87	71	54

TABLE 4. COMPARISON OF POPULAR, ELECTORAL, AND HOUSE WINNER BY STATE, 1824³

State	Popular Vote	Electoral Vote	House Vote
Alabama	Jackson	Jackson	Jackson
Connecticut	Adams	Adams	Adams
Delaware	N/A	Crawford	Crawford
Georgia	N/A	Crawford	Crawford
Illinois	Adams	Jackson	Adams
Indiana	Jackson	Jackson	Jackson
Kentucky	Clay	Clay	Adams
Louisiana	N/A	Jackson	Adams
Maine	Adams	Adams	Adams
Maryland	Adams	Adams	Adams
Massachusetts	Adams	Adams	Adams
Mississippi	Jackson	Jackson	Jackson
Missouri	Clay	Clay	Adams
New Hampshire	Adams	Adams	Adams
New Jersey	Jackson	Jackson	Jackson
New York	N/A	Adams	Adams
North Carolina	Jackson	Jackson	Crawford
Ohio	Clay	Clay	Adams
Pennsylvania	Jackson	Jackson	Jackson
Rhode Island	Adams	Adams	Adams
South Carolina	Jackson	Jackson	Jackson
Tennessee	Jackson	Jackson	Jackson
Vermont	N/A	Adams	Adams
Virginia	Crawford	Crawford	Crawford

The results in six states, one-fourth of the total number that took part in the election, show discrepancies between the results of the Electoral College and the House of Representatives votes. Furthermore, a reading of Tables 3 and 4 shows that representatives from Illinois, Kentucky, Louisiana, Missouri, North Carolina, and

³ Popular vote winners are not available for Delaware, Georgia, Louisiana, New York, South Carolina, or Vermont because the people did not vote directly for presidential electors; instead the state legislature chose them.

Ohio ignored the preferences of either their state legislature or state population when casting their votes for the president.⁴

The most egregious examples of the House representatives ignoring the electoral and/or popular returns occurred in Louisiana and North Carolina. Since Louisiana chose its electors through legislative action, no popular returns are available. As stated in the previous chapter, though, contemporary newspapers gave a strong indication that although Clay appeared to have strength with the legislature, the public's sympathies lay with Jackson. The St. Francisville Asylum, noting the rabid support for the Hero of New Orleans among the people said: "The partisans of General Jackson seemed to partake of his disposition and feelings – One desires to write his *vote* in blood; another wished to make domestic carpeting of the skins of his enemies; and a third in a public address to the intelligent citizen's of New Orleans, denounces the General's opponents as enemies of the country!" Apparently, the legislators took popular feeling to heart, and realizing the futility of Clay's candidacy, split the state's electors between Jackson and Adams, three to two.⁵

In the House of Representatives, Henry Gurley, Edward Livingston, and William Brent represented Louisiana. Livingston, Jackson's aide de camp and personal secretary

⁴ The data for Tables 3 and 4 were taken from John L. Moore, ed., Congressional Quarterly's Guide to U.S. Elections (Washington, D.C. Congressional Quarterly, Inc., 1994), 429.

⁵ St. Francisville Asylum, 24, 31 July 1824; William H. Adams, The Whig Party of Louisiana (Lafayette: University of Southwestern Louisiana Press, 1983), 23-24; Louisiana, House Journal, 1824, 8.

during the War of 1812, remained loyal to the legislative sentiments and cast his vote for Jackson. Gurley and Brent, though, chose to support Adams, despite previous public pledges to the contrary. In May of 1824, Representative Brent was quoted in the New Orleans Mercantile Advertiser as saying he would “vote the sentiments of those I represent,” seeming to indicate that as Jackson was the people’s choice, if it came to a House election Jackson would also be his choice. Biographer Marquis James quotes R.K. Call, a Jackson supporter in New Orleans, as saying that Brent had responded to the question on whom he would support with the saying “Vox populi, vox Dei.” Brent’s private correspondence with Clay, however, indicates that his public profession notwithstanding, he would abandon Jackson in the House. In a letter published in the Asylum, Brent excused his behavior, claiming that “General Jackson could not have been elected under any circumstances.” Gurley, echoing Brent, claimed to waver up until the last minute, and then decided to support Adams since Jackson’s chance had evaporated.⁶

The outrage in Louisiana was great. Throughout the state, the vote was denounced as contrary to the people’s wishes. The most outspoken critic of Brent and Gurley was James McKaraher, editor and publisher of the Louisiana Gazette. On the outcome of the House election he wrote, “It may be as well for us to record our own infamy.” Brent and Gurley, by falling in with the intrigues of Clay, were guilty of

. . . shameful treachery, unparalleled in history. . . . they gave the whole vote of the state to one, who like a codfish, could not live

⁶ Annals of Congress, 18th Cong., 2nd sess., 527; Adams, Whig Party of Louisiana, 24; James, Andrew Jackson, 416; William L. Brent to Henry Clay, 3 September 1824, cited in Joseph G. Tregle, Louisiana in the Age of Jackson: A Clash of Cultures and Personalities (Baton Rouge: Louisiana State University Press, 1999), 172; St. Francisville Asylum, 2 April 1825; Louisiana Gazette, 11 March 1825.

one season in our waters. One whose secluded habits render him ignorant of the feelings and habits of the western country, as though he had been all his life studying the Chinese alphabet in the centre [sic] of Peking. . . . Treachery! Treachery! Treachery!

The immediate unrest led to change in the state's electoral law, transferring selection from the state legislature to the people voting on an at-large ticket. As for the state's national representatives, Livingston enjoyed a long career in politics, becoming Senator of the state and a strong advocate of amending the Constitution to enforce uniform popular selection of presidential electors throughout the country. Brent never returned to live in his home state and was voted out of office in 1828, and Gurley resigned his seat in 1830 and never entered the political arena again.⁷

The discrepancy between North Carolina's popular vote and House vote is more difficult to understand. Officially, Adams received no popular votes, while Jackson received 56 percent and Crawford a little more than 43 percent. The voters were only given two options to vote on: an electoral slate pledged to Crawford and a coalition anti-Crawford ticket pledged against him. All but three electors on the fusion ticket had publicly proclaimed their preference for Jackson prior to voting, and the group as a whole was instructed to vote as a bloc for the most popular of the two – Jackson. Thus, the entire electoral vote went to Jackson even though approximately one-third of the anti-Crawford voters favored Adams. In spite of the popular and electoral returns, ten

⁷ Louisiana Gazette, 8, 28 February 1825; Louisiana Journal, 25 March 1825; Louis Moreau Lislet, ed. A General Digest of the Acts of the Legislature of Louisiana Passed from the Year 1804, to 1827, inclusive, and in force at this last period, with an appendix and general index, (New Orleans: B. Levy, 1828), 1: 449-451; Tregle, Louisiana in the Age of Jackson, 213-24, 245.

of the thirteen North Carolina representatives cast their votes for Adams when the House vote was taken, and North Carolina then gave its vote to the less popular candidate, Crawford. Regardless of whether or not Jackson was truly deserving of the entire Electoral College vote, the people clearly had spoken against supporting Crawford. On the surface, at least, the public will had been thwarted, and North Carolina was held up as an example of the corruption that permeated the selection process. Of the ten men who voted for Crawford, five lost their seats in the next election.⁸

The contest in Ohio also led to speculation on the part of the Jacksonians. The popular returns showed Clay with a slight lead over Jackson, 38.5 percent to 37 percent. Adams, though, also finished strongly with 24.5 percent of the vote. Because Ohio used the general ticket method, Clay received all of the state's electoral votes. Since he was ineligible for the House election, the state's representatives were asked to choose between Adams and Jackson. According to the Jackson supporters, the House vote for Ohio should have swung in Jackson's favor based on the popular returns. Inexplicably, though, only two of the fourteen representatives supported Jackson, with Adams receiving ten votes and Crawford, who was not even on the ballot in November, gaining two. Clay, publicly championing Adams, had used his influence to sway the Ohio

⁸ Lucius Wilmerding, The Electoral College (New Brunswick, N.J.: Rutgers University Press, 1958), 75-76; Hugh Talmage Lefler and Albert Ray Newsome, North Carolina: The History of a Southern State (Chapel Hill: The University of North Carolina Press, 1954), 326. Historians have been in disagreement on the nature of the fusion ticket and on popular support of the candidates in 1824. See Wilmerding, Electoral College, 177-78; J.B. McMaster, A History of the United States, 8 vols. (New York: D. Appleton and Co., 1904), 5: 74-5; and Albert Ray Newsome, The Presidential Election of 1824 in North Carolina (Chapel Hill: The University of North Carolina Press, 1939) in its entirety.

contingent against Jackson. The arrangement between the Adams and Clay forces was hardly a surprise. Clay, as a westerner and promoter of internal improvements which were greatly beneficial to the state, had a great deal of influence. Also, Adams supporters were quick to point out that in the general election, 63 percent of the voters in Ohio had *not* supported the General. The argument was irrelevant – since the vote had not been head-to-head, no real accurate assessment of the people’s sentiments can be ascertained. Either side could justify their beliefs. The outcome of the House election, though, could be (and was) used in the following years to undermine Adams and Clay throughout the state.⁹

Clay’s home state of Kentucky gave its full support to the favorite son in the general election, where he gained almost 73 percent of the vote to Jackson’s 27 percent, as well as all of the electoral vote. Neither Adams nor Crawford were on the ballot and, thus neither received any votes. With this in mind, the Kentucky legislature passed a resolution on 11 January 1825 instructing the state’s representatives to support Jackson in the House vote – the people preferred him to Adams. Clay, however, had already let it be known that he favored Adams. Indeed, he met with Adams two evenings prior to the legislative vote and both men understood that Clay would work on Adams behalf. True to his word, Clay used his influence on the Kentucky representation in Washington, D.C. and the delegation announced its intention to support Adams after a vote of eight to four. Outrage and indignation immediately followed. Senator Robert Hayne of South Carolina

⁹ Hopkins, “1824,” 380; Remini, Course of American Freedom, 82-83; Donald J. Ratcliffe, “The Role of Voters and Issues in Party Formation: Ohio, 1824,” Journal of American History 59 (May 1973): 847-870.

exclaimed, “We are all in commotion about the monstrous union between Clay & Adams, for the purpose of depriving Jackson of the votes of the Western States where nine tenths of the people are decidedly in his favor.” Van Buren, warning of the consequences, told a Kentucky colleague, “you sign Mr. Clay’s political death warrant.” Four days later, an unsigned letter appeared in the Philadelphia Columbia Observer accusing Clay of trading votes for the state department position. Many were willing to believe the intrigue, despite the unreliability of the accuser, Pennsylvania representative George Kremer who was better known for his eccentric dress than his political acumen, because of the seemingly unsavory outcome of the Kentucky state vote. Robert Remini concludes, “Thus, Kremer’s revelation elicited little surprise; it only publicly announced what everyone suspected. What made the situation worse and inflicted grave damage on the public attitude toward government was the growing feeling around the country that “skullduggery” was the normal practice in Washington and now even included the selection of the President.”¹⁰

Another state that offered proof of the unsatisfactory outcome of the election was Illinois. Popularly, the election results were fairly evenly distributed, with Adams garnering 32.5 percent of the total, Jackson a little more than 27 percent, Clay just over 2 percent, and Crawford around 18 percent. The electoral vote, though, was distributed only between Jackson, who received two votes, and Adams, who received one. Because

¹⁰ Remini, Course of American Freedom, 88-90; Adams, Memoirs, 6: 464-65; Richard Hayne to J.V. Grimke, 28 January 1825, cited in Remini, Course of American Freedom, 89; Van Buren, Autobiography, 199-200; Hopkins, “1824,” 378-79; National Intelligencer, 4, 8 February 1825, 16, 28 March 1825.

Illinois used popular selection of electors by district, the outcome before the race ever moved to the house was divisive. The election returns from the counties are incomplete, so an accurate total is unavailable, but those records that have been preserved show that in such a close race, Jackson was able to outpoll the other three in two of the three electoral districts, yet still fall 244 votes shy of winning the overall popular vote. Both Jackson and Adams could legitimately claim that the state should support their candidacy when the election moved to the House of Representatives. The Illinois delegate, undoubtedly influenced by Clay who had played a large role in Illinois politics throughout his career, especially in connection with internal improvements, cast his vote for the leading popular candidate, Adams. Jackson supporters argued that those who voted for Clay in the popular election would have supported the General if Clay had not been in the race, so the vote should have went in Jackson's favor. Adams' men countered that the vote could have just as easily been split three ways, keeping the advantage with Adams. The argument is inconsequential, since there is no reliable way to predict how the race would have ended in a contest without Clay's presence. The inconsistency between the popular, electoral, and House vote provided both sides with examples of how the system was not always equitable.¹¹

¹¹ Moore, Guide to Elections, 350, 368, 428-429. The election returns for the state of Illinois used are taken from Moore and differ considerably from those used in past monographs of the election. Prior to its publication in 1994, the totals commonly cited for Illinois show Jackson winning the plurality of the popular vote over Adams, 1901 to 1542, see Hopkins, "1824," 409. The more recent findings are based on data collection efforts begun in 1962 under the direction of the Inter-University Consortium for Political and Social Research (ICPSR). The ICPSR was able to recover returns for more than 90 percent of all presidential elections through research at the state level. Although returns were not always preserved, this research represents a more exhaustive canvass of the

The last state that provided ammunition for the Jacksonians and those who felt the presidential selection system needed to be reformed was Missouri. The popular and electoral returns for that state gave an overwhelming victory to Henry Clay, who received almost 60 percent of the vote. Jackson was clearly the second choice with 34 percent, while Adams received less than 5 percent and Crawford not even 1 percent. When the process moved to the House, Senator Thomas Hart Benton used his influence for Jackson, but Missouri's lone representative, John Scott, supported by the other senator David Barton, was firmly in the camp of Clay and chose to cast his vote for Adams. Scott rationalized his choice by pointing out that Missouri's General Assembly gave no instructions to him, and Benton's reading of the state mandate was dependent on generalizations rather than fact. In this case, then, he claimed he could only vote as his conscience dictated.¹²

If this had been the full story, it probably would have elicited less a response from politicians and the public in general. Despite his claims to the contrary, Scott knew that his vote would be unpopular in Missouri and had even told Adams as much in a meeting on 21 January 1825, before the House vote took place. At the same meeting, Scott

results available from this time period. If, however, one chooses to rely on the previous totals, the anomaly between the popular vote and the House vote becomes even more pronounced. Jackson's win in the state returns makes the House vote even more egregious and strengthens the Jacksonian belief that political mischief had occurred.

¹² Missouri Intelligencer, 29 March 1825, 12 April 1825; Elbert Smith, Magnificent Missourian: The Life of Thomas Hart Benton (Philadelphia: J.B. Lippincott, 1957), 94-95; William Nisbet Chambers, Old Bullion Benton, Senator from the New West, Thomas Hart Benton, 1782-1858 (Boston: Little, Brown and Co., 1956), 128-30; John Vollmer Mering, The Whig Party in Missouri (Columbia: University of Missouri Press, 1967), 10-11; Edwin C. McReynolds, Missouri: A History of the Crossroads State (Norman: University of Oklahoma Press, 1962), 13.

brought up a family problem to ascertain whether or not Adams would be amenable to helping deal with it. Scott's brother, a federal judge in the Arkansas Territory, had fought and killed a colleague in a duel. Because this was a violation of territorial law, which forbade duelists from holding office, an application for removal had been initiated. Without specifically saying so, Adams indicated that the problem would be taken care of if he were president. In the short run, Scott gained what he sought. His brother was not removed from office, Adams was named president, and Clay remained his patron in the House. The ramifications of this "deal," though, were equally as strong in terms of party formation and the election of 1828. Missourians were outraged and letters to newspapers as well as editorials reflect this. The words corruption and intrigue became associated with the Missouri vote and led to the emergence of a strong Jacksonian party in that state. As for Scott, he was voted out of office in 1826, a victim of the vote he had cast almost two years earlier for the president, and he never was active in politics again. On the other hand, Benton became a celebrated Jacksonian and remained a major figure in Missouri and United States politics until his death.¹³

The arguments espoused by both sides have merit, but in the final analysis, perception rather than fact was more important to the interpretation of the outcome of the 1824 election. Realistically, it is not possible to determine who was the more popular

¹³ Adams, Memoirs, 6: 473; Robert V. Remini, The Legacy of Andrew Jackson: Essays on Democracy, Indian Removal, and Slavery (Baton Rouge: Louisiana State University Press, 1988), 19; Eugene H. Roseboom, A History of Presidential Elections (New York: Macmillan, 1959), 85; McReynolds, Missouri, 130; Missouri Intelligencer, 12 April 1825, 23 December 1825, 25 January 1826; Independent Patriot, 13, 20 August 1825; Missouri Republican, 28 March 1825, 2 May 1825, 27 July 1826.

candidate, Jackson or Adams. Since the race was between four men, not just two, the votes can be interpreted in a variety of ways. Undoubtedly, there were some inconsistencies, especially in states like Kentucky, Illinois and Missouri, and the Jacksonians were adept at promoting the perception that these inconsistencies were a result of corruption, bargains, and intrigue. For his part, Jackson seems to have truly believed that the people's will had been thwarted. In a letter to John Lewis, he railed, "So you see, the *Judas* of the West has closed the contract and will receive the thirty pieces of silver. His end will be the same. Was there ever witnessed such a bare faced corruption in any country before?" Jackson, though, also firmly believed that the people would correct any injustice, stating, "The people are the safeguards of their own liberties, and I rely wholly on them to guard themselves. They will correct any outrage upon political purity by Congress. . . ." ¹⁴

Others, however, were not so inclined to rely on the people. Two distinct movements immediately arose to rectify the abomination that some felt had occurred. First, those who opposed Adams planted the seeds of the Democratic party, and it became inseparable from the Jacksonian cause. Foremost among these men was Martin Van Buren. In his later years, he summed up the need for parties in light of the 1824 disaster, stating that faction had taken over the country and "moved the bitter waters of political agitation to their lowest depths." Unlike factions, members of parties were committed to

¹⁴ Andrew Jackson to John Lewis, 19 February 1825, in Andrew Jackson, The Correspondence of Andrew Jackson, ed. by James Spencer Bassett, 6 vols. (Washington, D.C.: Carnegie Institution of Washington, 1926-1933), 3: 277; Henry A. Wise, Seven Decades of the Union (Philadelphia: J.B. Lippincott, 1872), 81.

the same general principles and the group lasted over time. Factions, usually, short-lived, served the purpose of only promoting the specific goals or ambitions of one man or a small group of men. In essence, Van Buren's stated goal in promoting a new party was to provide restraint on political ambition, resulting in the promotion of the public good. To this end, a coalition formed throughout the states with the stated purpose of ending factionalism, promoting democratic principles, and electing Andrew Jackson.¹⁵

The other movement occurred in Congress itself and began the same year the House vote for president took place. Beginning in December 1825, and continuing throughout 1826 and part of 1827, numerous resolutions aimed at amending the electoral process and the House role in presidential elections were introduced, studied, and eventually tabled. The most ardent promoters of change were George McDuffie and Robert Hayne of South Carolina, Mahlon Dickerson of North Carolina, Thomas Hart Benton of Missouri, and Martin Van Buren of New York. Although they were unsuccessful in their attempts to amend the Constitution, their efforts continually brought before the public the perception that the electoral process was flawed, that corruption at both the national and the state level was present, and that the unwieldy system had denied the public their due say in the selection of the president. It comes as no surprise that many of those who championed reform became closely associated with the Democratic

¹⁵ Martin Van Buren, Inquiry into the Origin and Course of Political Parties in the United States, ed. by Abraham and Smith Thompson Van Buren (New York: Hurd and Houghton, 1867), 3-4, 123-24; James W. Ceasar, Presidential Selection Theory and Development (Princeton: Princeton University Press, 1979), 123; See also Remini, Van Buren, for an excellent documentation of the rise of the parties between 1824 and 1838 as it relates to presidential politics.

party, Jacksonian Democracy, and the political successes tied with both over the next twenty years.

Just prior to the Christmas break in 1825, Congressmen in both Houses introduced proposals to amend the Constitution. In the House, McDuffie, who had made similar proposals in previous years, submitted the following:

1. Resolved, That, for the purpose of electing the president and Vice President of the U.S. the constitution ought to be so amended, that a Uniform System of voting by districts shall be established in all the States; and that the constitution ought to be further amended in such a manner as will prevent the election of the aforesaid officers from devolving upon all respective houses of Congress.
2. Resolved, That a Committee be appointed, with instructions to prepare and report a joint resolution, embracing the aforesaid objects.

Benton, in the Senate, introduced a similar resolution on 14 December, five days later, and the debate began in earnest. The following day, Dickerson went even further, proposing to limit the terms of the president and vice-president. Several senators, including Hayne and Nathaniel Macon of North Carolina, who had been closely associated with earlier efforts, spoke favorably of the amendment proposal and lobbied forcefully for a place on the committee that would take up the issue. Not coincidentally, each of these men, along with Van Buren, were named to that committee and met for the next month before reporting its recommendations to the Committee of the Whole. McDuffie led the House committee that followed the same timeline.¹⁶

¹⁶ Journal of the House of Representatives, 19th Cong., 1st sess., 9 December 1825, 32; Journal of the Senate, 19th Cong., 1st sess., 15 December 1825 43, 45-46, 19 December 1825, 46-47; Register of Debates, 19th Cong., 1st sess., 16-18.

The amendment reported on by the committees called for each state to be divided by their legislature, at least every ten years following congressional redistricting, into a number of districts equal to the number of representatives and senators to which each state was entitled. On the first Thursday in August, the people would vote and the person receiving the greatest number of votes in each district would receive a single electoral vote. After the state governors verified the returns, the president of the Senate would open and officially tally the electoral votes. The person who received the majority of votes would be declared president. If no one received a majority, a second popular election between the top two candidates would be held the first Thursday of December and would follow the same procedure as the initial election. If after the second election no candidate received a majority of electoral votes, the House of Representatives would choose between the two in the manner already stipulated in the Constitution. After the proposal was read, the Committees of the Whole opened the floor for debate. The discussion would last for over four months.¹⁷

The debate on the amendment became particularly heated in the House toward the end of February. At that time, not only were representatives arguing the merits of the amendment, state legislatures also began sending messages either in support of or in opposition to the proposed changes. The state of Tennessee, prompted by new Representative James K. Polk, sent a message proposing not only the direct election of the president by the people, but also asking for a clause stipulating that if the House did

¹⁷ Register of Debates, 19th Cong., 1st sess., 51-53; Journal of the Senate, 19 January 1826, 102.

have to step in and decide the election, “no member of the House, who shall vote upon such election, shall be capable of receiving an appointment to any office under the Government of the United States, where the power of nomination is in the President, for the term of three years thereafter. . . .” Representatives from Indiana and Kentucky were particularly outraged by the backhanded insult to Henry Clay. Jonathan Jennings of Indiana not only voiced his concerns, but also presented a resolution adopted by the General Assembly of the State of Indiana disapproving entirely of the entire matter, especially the Tennessee legislature’s transparent efforts to aid Jackson.¹⁸

Tempers became very short. McDuffie openly invoked the “bargain & corruption” charges against Clay, saying that he had organized a “bold and daring, and shameless coalition, setting at defiance the will of the nation, and neglecting even the external decencies of political morality.” His rhetoric became even more inflammatory when he called Clay “the skulking manager who moves the wires of this whole concerted operation.” Several Adams men actually challenged McDuffie to a duel over the matter; but it was never fought because his second refused to recognize rifles as legitimate dueling weapons.¹⁹

Debate over the proposed amendments continued throughout March, with no consensus being reached. Finally, in April, Daniel Webster, asked that debate end, and

¹⁸ Theodore C. Pease, The Frontier State, 1818-1848 (Chicago: A.C. McClurg & Co., 1922), 115-16; Register of Debates, 19th Cong., 1st sess., 1462-75; Journal of the House of Representatives, 21 February 1826, 276-77, 285-90.

¹⁹ Register of Debates, 19th Cong., 1st sess., 1431-88; Charles M. Wiltse, John C. Calhoun, 3 vols. (Indianapolis: Bobbs-Merrill, 1944-51), 1: 330-31; Charles Grier Sellers, James K. Polk, Jacksonian (Princeton: Princeton University Press, 1957), 106.

the resolution be committed to a vote. The question of whether or not the election should not be allowed to devolve on Congress, was answered in the affirmative. On the question of whether the states should be required to establish electoral districts, each having one vote, the answer was negative. Both Houses decided to resubmit the proposal for electoral reform to a Select Committee with instruction to prepare a joint resolution which could then be passed on to the states for approval. Two key members of the select committee were McDuffie, who had proposed the original resolution, and Polk, whose first major speech on the House floor was in support of the proposed amendment. The prospects for a positive outcome were dim, however; not because a majority of Congressmen were opposed to some kind of change, but because they could not agree on which would be a better system. McDuffie, in speech after speech, championed the district method, claiming that, as shown in New York where the voters had given overwhelming support for voting by district, “the People will never consent to the establishment of an uniform general ticket system. . . .” If left alone, the states would more and more adopt the general ticket, which he considered to be undemocratic and too far afield from the Founding Fathers original intent. Others, like Edward Everett of Massachusetts, agreed with McDuffie that uniformity was necessary, but claimed that the states were already headed in that direction and no further congressional action was needed. Everett stated:

I grant to the gentleman from South Carolina that diversity, in this respect, is an evil. It is an evil that one State should appoint its Electors in one way, and another State in another way. I admit that this is an evil for which a remedy is desirable; though I do not know – if no other remedy could be applied – whether it would be expedient (if it were competent to us) to alter the constitution for this purpose. But the gentleman himself

tells us that there is another remedy. He says that, as the Constitution now is, without any alteration, the States will all be led to adopt the General Ticket system. What more do we want, as far as a uniformity goes? If the States will all adopt the General Ticket system, without any amendment to the Constitution, then the only evil which I admit to exist, is remedied.²⁰

Although the Select Committee met, no further action was ever taken on the House or Senate floor, except a brief resurrection of the proposal in December of 1827. By this time, though, both the Adams and the Jackson supporters were firmly focused on preparation for the 1828 rematch between the two candidates. With Van Buren at the helm, the Democratic party focused its efforts on promoting Jackson throughout the country. The Adams supporters were loosely coalesced into what later became known as the National Republican party, although they were not nearly as organized. The election itself, had little to do with political principles, and everything to do with personalities and rehashing the perception that the 1824 election was stolen from the rightful winner. With this in mind, both sides worked to establish networks throughout the states and, when needed, attempted to manipulate the selection of electors whenever possible.²¹

²⁰ Journal of the House of Representatives, 1 April 1826, 400-06; 3 April 1826, 409-10, 4 April 1826, 413-14; Register of Debates, 19th Cong., 1st sess., 405-07, 692-96, 874-84, 1373, 1492-1504, 1575, 1625-33, 1748-54, 1879, 2008-10; Wilmerding, Electoral College, 21, 57, 65-66; Sellers, James K. Polk, 106-08

²¹ Journal of the House of Representatives, 19 December 1827, 70-72.

CHAPTER 5

THE ELECTION OF 1828 AND THE RISE OF THE DEMOCRATIC PARTY

Despite the failure of attempts by Thomas Hart Benton and George McDuffie to pass a constitutional amendment mandating selection of presidential electors by popular vote, the 1828 election demonstrated that the public, and politicians at the state level, considered the issue far from dead. Six of the twenty-four states – Georgia, Illinois, Kentucky, Louisiana, Missouri, and Vermont – that took part in the election changed their method of selecting electors from that used in 1824 to use of a general ticket in 1828. New York adopted the district method as a result of dissatisfaction with the 1824 results. Not coincidentally, voter participation also changed over the four-year period, with more than one million more votes cast in 1828 than in 1824. This expanding popular participation, combined with the emergence of the Democratic party and its use of new campaign tactics and propaganda, altered presidential politics in a way that had marked effects on future campaigns. The Electoral College, reflecting these changes, came to resemble more closely the modern College's use of the general ticket, with only two states – Delaware and South Carolina – retaining selection by the state legislature, two – Maine and New York – using a combination of the general ticket and district

methods, and another two – Maryland and Tennessee – strictly adhering to the district method. All the rest chose their electors on the general ticket.¹

The candidates in 1828 again were Andrew Jackson and John Quincy Adams. Although there had been several issues of great importance before Congress in the intervening years, most notably internal improvements, protective tariffs, and U.S. participation in the Panama Conference, the election was really about personalities and, at least on the part of the Jacksonians, vindication. Jackson's candidacy, though, involved more than just his personal elevation to the presidency. The coalition that formed to support him, and which provided the basis for the newly emerging Democratic party, was united more in opposition to Adams and his nationalistic policies, than in support of Jackson. For example, there was no unity on the issues of protective tariffs or internal improvements. Vice President John C. Calhoun, no fan of Jackson, disliked President Adams and especially thought ill of his tariff policies. Likewise, William H. Crawford and his followers, usually classed as the ruling or aristocratic party in older planter communities, hated Calhoun and did not like being associated with the frontier farmers and urban workers who supported Jackson, but could abide Adams's nationalism even less. Martin Van Buren, New York Senator and a key Crawford lieutenant in 1824, was now in a position of working with Jackson – someone he supported only because he had

¹ Lawrence D. Longley and Alan G. Braun, The Politics of Electoral Reform (New Haven, Conn.: Yale University Press, 1975), 248-49; Charles A. Paullin, "Political Parties and Opinion, 1788-1930," in Atlas of Historical Geography of the United States (Washington, D.C.: U.S. Government Printing Press, 1932), 96-97; John L. Moore, ed., Congressional Quarterly's Guide to U.S. Elections (Washington, D.C.: Congressional Quarterly, Inc., 1994), 346, 429.

the best chance of defeating Adams – and Calhoun – a man whom he personally and professionally disliked. For his part, Jackson was not especially fond of Crawford and was unsure of Van Buren’s support. These unnatural allies, according to Van Buren, “united heart and hand to promote the election of General Jackson.” So, as stated by Richard McCormick, “despite Jackson’s aversion to Crawford, Crawford’s hatred of Calhoun, Calhoun’s mistrust of Van Buren, and Van Buren’s hesitancy about making a public declaration of his support for the Old Hero, the disparate elements that were to form the Jackson coalition joined warily together in anticipation of ousting the beneficiaries of the ‘corrupt bargain.’”²

The Jacksonians efforts to gain the White House began almost immediately after John Quincy Adams took up residence there. The Tennessee legislature nominated Jackson for the presidency in October 1825. He immediately resigned his seat in the Senate. At that time, Jackson addressed both houses of the Tennessee legislature and endorsed a constitutional amendment supporting direct election of the president by the people, with the Electoral College acting as a rubber stamp on the popular vote. In addition, he called for a ban on congressmen accepting appointments from any new president. This, he exclaimed, would prevent any taint of corruption in the election if it should happen to be decided by the House of Representatives. Of course, this was a thinly veiled reference to Clay’s actions the previous winter, and it served as the basis for

² Eugene H. Roseboom, A History of Presidential Elections (New York: Macmillan, 1959), 89-90; Richard P. McCormick, The Presidential Game: The Origins of American Presidential Politics (New York: Oxford University Press, 1982), 126; Martin Van Buren, The Autobiography of Martin Van Buren, ed. by John C. Fitzpatrick (1920; reprint, New York: Augustus M. Kelley Publishers, 1969), 514.

the Tennessee legislature's communication to the House of Representatives concerning the previously discussed amendment efforts (see chapter 4) that James K. Polk introduced in February 1826.³

Jackson's campaign organization was vigorous and highly effective. Led by the Nashville Central Committee, whose purpose was stated as being responsible for responding to "the calumnious attacks on the General," the organization quickly spread to other states and became the core of the Democratic party organization nationally. The leaders of the Nashville Committee were Judge John Overton, Jackson's former second-in-command on the battlefield; John Coffee, long-time friend, lawyer and minister; George Washington Campbell; Major William B. Lewis; Tennessee governor William Carroll; Congressman (and later Senator) Hugh Lawson White; politician John Henry Eaton; Congressman James K. Polk; and young Sam Houston. Its counterpart in Washington was the Jackson Correspondence Committee headed by Martin Van Buren and John P. Van Ness, an influential banker.⁴

³ McCormick, Presidential Game, 149-52; Andrew Jackson, The Correspondence of Andrew Jackson, edited by John Spencer Bassett, 6 vols. (Washington, D.C.: Carnegie Institution of Washington, 1926-1933), 3: 293-96.

⁴ Sources on the 1828 presidential campaign are many. For this brief summary, the following sources are used: Robert V. Remini, The Election of Andrew Jackson (Philadelphia: Lippincott, 1963) and Florence Weston, The Presidential Election of 1828 (1938; reprint, Philadelphia: Porcupine Press, 1974) in their entirety; Robert V. Remini, Andrew Jackson (New York: Twayne Publishers, 1966), 98-105; Edward Stanwood, A History of the Presidency, 2 vols. (Boston: Houghton Mifflin Co., 1924), 1: 142-50; Edward Stanwood, A History of Presidential Elections, (Boston: Osgood and Co., 1884), 96-101; Robert V. Remini, Andrew Jackson and the Course of American Freedom (1981; reprint, Baltimore: The Johns Hopkins University Press, 1998), 100-55; and Roseboom, History of Presidential Elections, 88-91. For an in-depth discussion of Jackson's Tennessee advisors see Lorman A. Ratner, Andrew Jackson and His Tennessee Lieutenants: A Study in Political Culture (Westport, Conn.: Greenwood Press, 1997).

Campaigning took a new turn in 1828 as the Jacksonians began creating Hickory Clubs throughout the states, hosting parades and barbecues, publishing songs, and planning rallies. These techniques had been previously used at the local and state level, but never for a national campaign. The key to generating such excitement was the use of newspapers throughout the country. Specifically, Eaton raised funds to establish the United States' Telegraph early in 1826. Duff Green, the Washington, D.C. editor, made sure that stories were timely and sent reprints to Jackson newspapers in other states. Green even published the Telegraph Extra, a weekly that ran for three months just prior to the election and was devoted exclusively to the presidential campaign. In all, eleven papers supporting Jackson and ten supporting Adams were founded between 1825 and 1828 specifically for the contest. These papers were openly partisan and existed only to promote the candidates. Numerous other papers, which were previously in existence, became extensions of the official organs and served to promote the candidates.⁵

⁵ Robert V. Remini, Martin Van Buren and the Making of the Democratic Party (New York: Columbia University Press, 1959), 193; Erik M. Erickson, "Official Newspaper Organs and the Campaign of 1828," Tennessee Historical Magazine 7 (1925): 231-47; Culver H. Smith, "Propaganda Technique in the Jackson Campaign of 1828," East Tennessee Historical Society Publications 6 (1934): 44-66; William Miles, comp., The People's Voice: An Annotated Bibliography of American Presidential Campaign Newspapers, 1828-1984 (Westport, Conn.: Greenwood Press, 1987), 1-6. Miles lists the following newspapers devoted solely to the election: Jackson papers – The Crisis (Rochester, New York), Delaware Democrat and Easton Gazette (Easton, Pennsylvania), Friend of Reform and Corruption's Adversary (Cincinnati), Jackson Republican (Boston), The Jacksonian (Trenton, New Jersey), The Nose: Or Political Satirist (Albany), Spirit of '28 (Portland), and United States' Telegraph Extra (Washington, D.C.); Adams papers – Anti-Jackson Bulletin and Messenger of Truth (Lexington), Anti-Jacksonian (Frederick-Town, Maryland), Anti-Jacksonian (Newark, New Jersey), Our Country (Hagers-Town, Maryland), Owego Free Press (Owego, New York), The Political Primer, or a Horn-Book for the Jacksonites (Dover), The Steuben Whig (Bath, New York), Truth's, Advocate

Despite the presence of major issues, particularly the protective tariff and growing southern sectionalism, the papers concentrated on personal attacks. The Jacksonians, not surprisingly, focused on the “corrupt bargain” of 1825, but also made ridiculous accusations about Adams’ personal habits. He was accused of procuring young American girls for the Russian Czar, using public funds to buy a pool table and other gambling equipment for the White House, and being a friend of monarchy, much like his father before him. The abuse aimed at Jackson, though, was worse. At one time or another, he was called ignorant, a duelist, a bigamist and adulterer. He was also accused of practicing the slave trade, plotting with Aaron Burr to commit treason, murdering his own troops during the War of 1812, and being the son of a prostitute. “The whole object of the coalition is to calumniate me,” Jackson complained. “Cart loads of coffin handbills, forgeries, and pamphlets of the most base calumnies are circulated by the franking privilege of members of Congress, and Mr. Clay. Even Mrs. J. is not spared, and my pious Mother . . . has been dragged forth . . . and held to public scorn as a prostitute who intermarried with a Negro, and my eldest brother sold as a slave in Carolina I am branded with every crime.”⁶

Some of the most vitriolic rhetoric came from newspapers in the states where voters and politicians had questioned the outcome of the House election in 1824. For example, an influential Jacksonian, Amos Kendall, used his paper the Frankfort Argus of

and Monthly Anti-Jackson Expositor (Cincinnati), “We the People” (Washington, D.C.), and The Weekly Marylander (Baltimore).

⁶ United States’ Telegraph Extra, 28 March, 10-13 May, 11 October 1828; Remini, Van Buren, 193; Andrew Jackson to Brigadier-General Richard K. Call, 16 August 1828, in Correspondence, 3: 426.

Western America, to remind voters continuously that, in 1824, “Mr. Clay transferred your vote to John Quincy Adams without your consent and contrary to your will. He now calls on you to ratify the bargain.” Adams, according to Kendall, was no less than “the enemy of the West, the clumsy negotiator and the vindictive man to whom you were sold by Henry Clay.” Kentuckians would help answer the major question before the people, the question “of *monarchy* – the Secretary succession. Since the accession of Jefferson, each President has appointed his successor. . . . the whole administration uses the patronage of the first four years to secure the election of the President for the second four, and of the second four to secure the succession; so that the country is filled with corruption.” The Lexington Kentucky Gazette echoed Kendall, asserting, “Of all the various classes among mankind, a proud monied aristocracy is the superlatively contemptible. These are the men who have been laboring by means of bribery and corruption to cheat the people out of their liberties.” Clearly, the remedy for the Kentuckians was the removal of the source of the corruption: John Quincy Adams and Henry Clay.⁷

The Jacksonians did not hold a monopoly on using the newspapers to their advantage, though perhaps they were better organized. In North Carolina, where the voters had shown their outrage at those members who supported Adams by voting most of them out of office in 1826, they were reassured that it would be “impossible to cheat them out of their choice as was the case in the last election.” But, warned, the Raleigh

⁷ Argus of Western America, 29 October 1828; Lexington Kentucky Gazette, 7 November 1828.

Register, and North Carolina Gazette, “party rage is no apology for . . . such grossness and vulgarity” as was being demonstrated. Questioning the propriety of the Democratic campaign tactics, the paper quoted the following toast drunk at a dinner in South Carolina, which was being reprinted throughout the country in papers favorable to Jackson: “*Adams, Clay & Co.* – Would to God they were like Jonah in the whale's belly: the whale to the devil; the devil in hell; and the door locked, key lost, and not a son of Vulcan within a million miles to make another.” More often than not, however, the newspapers urged voter action – “Rush then to the polls, ride, walk, or swim to reach them, and let your song of triumph be *Jackson* and our *Country* forever” – and in this both sides were very successful.⁸

The outcome of the election was not close (see Table 5). Jackson won overwhelmingly with 642,553, or 56.0 percent, of the vote. Adams garnered only 500,897 votes, or 43.6 percent, with 4,568 (less than one-half percent) given to minor candidates. In the Electoral College, Jackson's victory was even more decisive – 178 to 83, or 68 to 32 percent. The following table illustrates the outcome and the wide majorities Jackson enjoyed in a large part of the country⁹

⁸ Raleigh Register, and North Carolina Gazette, 14, 30 October 1828; Baton Rouge Gazette, 25 October 1828.

⁹ Data for Table 5 was taken from Moore, Guide to Elections, 369, 429. Note that South Carolina and Delaware did not participate in the popular election since they chose electors through legislative action; thus, no popular vote totals are represented in this data.

**TABLE 5. 1828 PRESIDENTIAL ELECTION POPULAR AND ELECTORAL
VOTE TOTALS BY STATE**

State	Total Vote		Andrew Jackson			John Quincy Adams		
	Popular	Electoral	Votes	%	Electoral	Votes	%	Electoral
Alabama	18,618	5	16,376	89.9	5	1,878	10.1	
Connecticut	19,378	8	4,448	23.0		13,829	71.4	8
Delaware	N/A	3	N/A			N/A		3
Georgia	20,004	9	19,362	96.8	9	642	3.2	
Illinois	14,222	3	9,560	67.2	3	4,662	32.8	
Indiana	39,210	5	22,201	56.6	5	17,009	43.4	
Kentucky	70,776	14	39,308	55.5	14	31,468	44.5	
Louisiana	8,687	5	4,605	53.0	5	4,082	47.0	
Maine	34,789	9	13,927	40.0	1	20,773	59.7	8
Maryland	45,796	11	22,782	49.7	5	23,014	50.3	6
Massachusetts	39,074	15	6,012	15.4		29,836	76.4	15
Mississippi	8,344	3	6,763	81.1	3	1,581	18.9	
Missouri	11,654	3	8,232	70.6	3	3,422	29.4	
New Hampshire	44,035	8	20,212	45.9		23,823	54.1	8
New Jersey	45,570	8	21,809	47.9		23,753	52.1	8
New York	270,975	36	139,412	51.4	20	131,563	48.6	16
North Carolina	51,747	15	37,814	73.1	16	13,918	26.9	
Ohio	131,049	16	67,596	51.6	16	63,453	48.4	
Pennsylvania	152,220	28	101,457	66.7	28	50,763	33.3	
Rhode Island	3,580	4	820	22.9		2,755	77.0	4
South Carolina	N/A	11	N/A		11	N/A		
Tennessee	46,533	11	44,293	95.2	11	2,240	4.8	
Vermont	32,833	7	8,350	25.4		24,363	74.2	7
Virginia	38,924	24	26,854	69.0	24	12,070	31.0	
Total	1,148,018	261	642,553	56.0	178	500,897	43.6	83

Given the circumstances surrounding the outcome of the 1824 election and the highly effective campaign techniques of the newly emerging Democratic party, Jackson's victory in 1828 came as no surprise. Historians have often noted the huge increase in voting – the largest turnout up to the time – but they have differed in their interpretations of this phenomenon and how it relates to the rise of Jacksonian Democracy at all levels.

Often overlooked, though, is the fact that the increase in voting for the president can be linked to the change in methods used to select electors.

TABLE 6. VOTING INCREASE BETWEEN 1824 AND 1828 BY STATE

State	Total Vote 1824	Total Vote 1828	Differential (plus/minus and percentage)	Change in Method of Choosing Electors
Alabama	13,603	18,618	+ 5,015 26.9	NO
Connecticut	10,647	19,378	+ 8,731 45.1	NO
Delaware				NO
Georgia		[20,004]		YES
Illinois	4,671	14,222	+ 9,551 67.2	YES
Indiana	15,838	39,210	+ 23,372 59.6	NO
Kentucky	23,338	70,776	+ 47,438 67.0	YES
Louisiana		[8,687]		YES
Maine	12,625	34,789	+ 22,164 63.7	NO
Maryland	33,214	45,796	+ 12,582 27.5	NO
Massachusetts	42,056	39,074	– 2,982 7.6	NO
Mississippi	4,894	8,344	+ 3,450 41.4	NO
Missouri	3,432	11,654	+ 8,222 70.6	YES
New Hampshire	10,032	44,035	+ 34,003 77.2	NO
New Jersey	19,837	45,570	+ 25,733 56.9	NO
New York		[270,975]		YES
North Carolina	36,109	51,747	+ 15,638 30.2	NO
Ohio	50,024	131,049	+ 81,025 61.8	NO
Pennsylvania	47,073	152,220	+105,147 69.1	NO
Rhode Island	2,344	3,580	+ 1,236 34.5	NO
South Carolina				NO
Tennessee	20,725	46,533	+ 25,808 55.5	NO
Vermont		[32,833]		YES
Virginia	15,371	38,924	+ 23,553 60.5	NO
Total	365,833	815,519	+449,686 55.1	

As seen in Table 6, of the twenty-four states that took part in the election, seven of them – Georgia, Illinois, Kentucky, Louisiana, Missouri, New York, and Vermont – changed their methods. Excluding those states that switched from legislative selection in

1824 to popular election in 1828, the increase in voters is exceedingly high – 55.1 percent or 449,686 votes. These three states – Illinois, Kentucky, and Missouri – account for more than one-half of the total increase in voting. Since Georgia, Louisiana, New York, and Vermont institute popular selection of electors in 1828, their vote totals for presidential elections automatically are increased 100 percent. If these votes are added to the totals in Table 6, the increase in number of voters jumps to 782,185 over 1824 total.¹⁰

Obviously, including those states that switched from legislative selection to popular election on either a district or general ticket skews the statistics for voter increase. Another way, then, to analyze the increase is to compare the increase in population relative to the increase in voters at the presidential level in those states that either retained the district or general ticket method and those states that switched from the district method to the general ticket method. Using the United States census data for 1820 and 1830, the population increase can be estimated through straight-line projections. Although this does not provide an exact number of residents in the states, it is an accurate assessment of the growth-rate over the decade. As expected, the newer western states exhibited the most growth, with older states along the Atlantic coast growing at a far slower rate. Alabama, Illinois, Indiana, and Missouri, all along the western frontier, averaged over 20 percent growth in the four-year period between presidential elections, with Mississippi, another western state, just below the 20 percent

¹⁰ Data for Table 6 was adapted from Moore, Guide to Elections, 429. The 1828 vote total differs from Table 5 since Georgia, Louisiana, New York and Vermont are excluded when analyzing increase in voting. Those states did not allow popular selection of electors in 1824, thus their increase is automatically 100 percent.

rate. Connecticut, Maryland, New Hampshire, and Virginia had less than 5 percent growth during the same time, and New Jersey and North Carolina had only 5.5 percent. If population increase was the only indicator used to measure increase in presidential voting, one would expect that the western states would all show far greater numbers of voters in 1828, while the coastal states would show little change. This is far from true.¹¹

TABLE 7. COMPARISON OF POPULATION AND PRESIDENTIAL VOTING INCREASE BETWEEN THE 1824 AND 1828 PRESIDENTIAL ELECTIONS

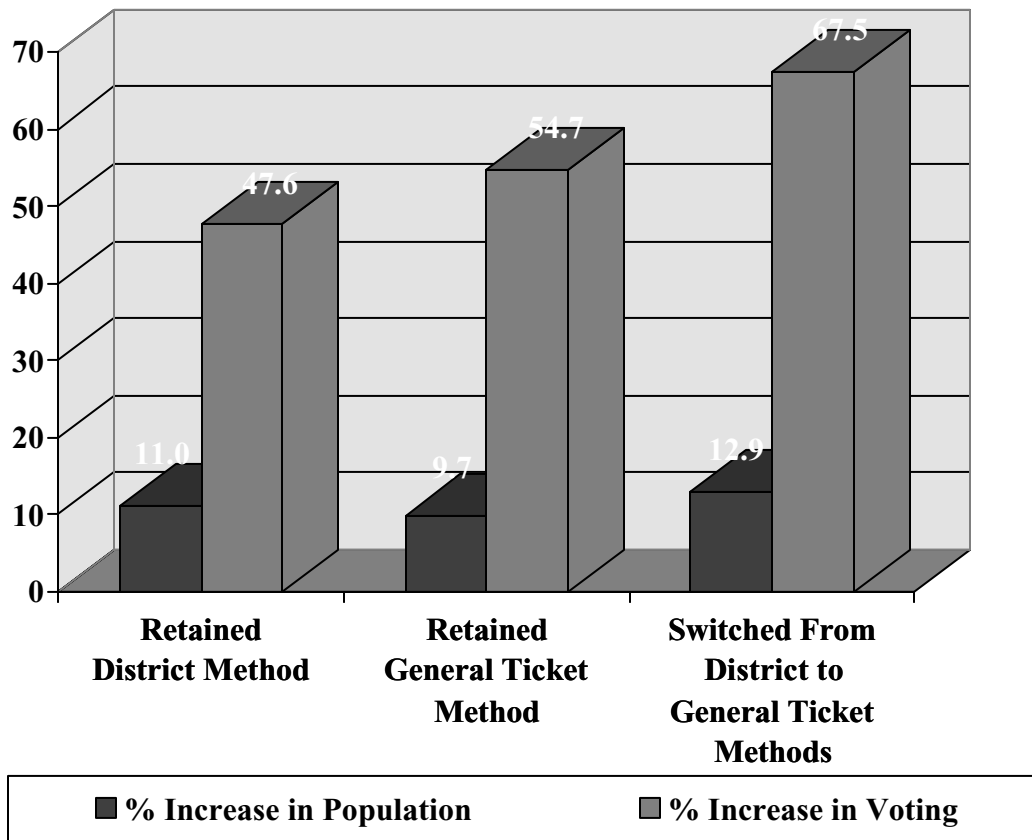
State (Selection Method)	Population Estimates			Number of Voters		
	1824	1828	%	1824	1828	%
Alabama (G)	200,553	273,205	26.6	13,603	18,618	26.9
Connecticut (G)	284,220	293,192	3.1	10,647	19,378	45.1
Illinois (D to G)	96,105	136,999	29.8	4,671	14,222	67.2
Indiana (G)	225,518	303,858	25.8	15,838	39,210	59.6
Kentucky (D to G)	613,757	663,197	7.5	23,338	70,776	67.0
Maine (D)	338,783	379,231	10.7	12,625	34,789	63.7
Maryland (D)	423,226	439,102	3.6	33,214	45,796	27.5
Massachusetts (G)	558,135	592,983	5.9	42,056	39,074	-7.6
Missouri (D to G)	96,134	125,682	23.5	3,432	11,654	70.6
Mississippi (G)	99,916	124,384	19.7	4,894	8,344	41.4
New Hampshire (G)	254,229	264,297	3.8	10,032	44,035	77.2
New Jersey (G)	294,875	312,175	5.5	19,837	45,570	56.9
North Carolina (G)	678,493	718,157	5.5	36,109	51,747	30.2
Ohio (G)	724,022	866,610	16.5	50,024	131,049	61.8
Pennsylvania (G)	1,168,968	1,288,478	9.3	47,073	152,220	69.1
Rhode Island (G)	88,715	94,371	6.0	2,344	3,580	34.5
Tennessee (D)	526,455	630,087	16.5	20,725	46,533	55.5
Virginia (G)	980,577	1,022,893	4.1	15,371	38,924	60.5

Key: G – General Ticket D – District

¹¹ Data for Table 7 were adapted from Moore, *Guide to Elections*, 429, 1350. South Carolina and Delaware did not allow popular selection of electors and are not included. Also excluded are Georgia, Louisiana, New York, and Vermont because they selected electors through the legislature in 1824.

Those states that retained the district method – Maine, Maryland, and Tennessee – average an 11 percent increase in population and a 47.6 increase in the number of voters for presidential electors. States which used the general ticket method in both elections – Alabama, Connecticut, Indiana, Massachusetts, New Hampshire, New Jersey, North Carolina, Ohio, Pennsylvania, Rhode Island, and Virginia – average a 9.7 percent population increase and a 54.7 percent increase in presidential voters. In switching from the district to the general ticket method, Illinois, Kentucky, and Missouri saw an average

TABLE 8. COMPARISON OF POPULATION AND VOTER INCREASE BETWEEN THE 1824 AND 1828 ELECTIONS



increase of 67.5 percent in voting with a 12.9 percent population increase. Clearly, those states that used the general ticket had a higher increase in voting relative to population growth, with those that switched from the district method outdistancing the other two groups by a large margin. The increase in voter participation was undoubtedly due, in part, to excitement over the race and the liberalization of voter eligibility at the state level, but more than one-half of the increase can be linked, one way or another, to the democratic movement toward popular selection of presidential electors; thus, the thesis that changes in the method of choosing electors contributed to and reflected Jacksonian Democracy is somewhat vindicated.¹²

Seven states changed their method of selecting electors. New York, which changed from legislative selection to popular election by district, Louisiana, which changed from legislative selection to popular election on a general ticket, and Missouri, which changed from popular election by district to popular election on a general ticket, have been discussed in the previous chapters. Of the other four, Vermont and Georgia made the more drastic change from legislative selection to a general ticket election.

¹² For more information on the historical debate concerning voter participation and Jacksonian Democracy, see Richard P. McCormick, "New Perspectives on Jacksonian Politics," American Historical Review 65 (January 1960): 228-301; Charles Grier Sellers, Jacksonian Democracy (Washington, D.C.: Service Center for the Teachers of History, 1958), in its entirety; and Charles Grier Sellers, "Andrew Jackson versus the Historians," Mississippi Valley Historical Review 44 (March 1958): 615-34. Much of the argument centers on the fact that the increase in voting at the national level did not meet, much less exceed, that at the local and state level. Thus, the movement was not really attributable to Jackson. This argument, put forth strenuously by McCormick, ignores the Electoral College voting completely and is somewhat misleading since the Jacksonians were usually the main instigators of electoral reform. While voting totals at the national level did not match those increases at the state level, they did increase and the root cause was pushed by the Democratic party.

Illinois and Kentucky both adopted the general ticket method after discarding the use of electoral districts. In each of these states, the increase in voting from 1824 to 1828 was at least 67 percent. Interestingly, in five of the seven states, Jackson took all of the electors. In New York, the electoral vote was split twenty to sixteen in favor of the General. Only in Vermont did Adams win the Electoral College vote. This outcome is almost completely opposite of 1824, where Jackson lost each state in both the popular and electoral vote. Clearly, then, the change was crucial in the outcome of the 1828 election.¹³

Georgia's change from legislative selection of presidential electors to popular election on a general ticket had almost nothing to do with the election of Andrew Jackson, per se, but to the efforts of two state factions to curry favor with both voters and the Jackson organization in anticipation of political rewards after the General took office. Indeed, the reasons for change rested more on competition between the two factions rather than the developing national parties. The “Troupites” and “Clarkites,” as they were called, had no real differences in their basic philosophies, and the only real national issue that interested them was Indian removal. Thus, in 1828 the question was never if the state would give their electoral votes to Jackson (Adams's Indian policies precluded him from any chance to win the state), but instead which slate of electors – Troupite or Clarkite – would win the popular vote.¹⁴

¹³ See Tables 2 and 3 for the 1824 popular and electoral votes by state.

¹⁴ Richard P. McCormick, The Second American Party System: Party Formation in the Jacksonian Era (Chapel Hill: The University of North Carolina Press, 1966), 236-38; Anthony Gene Carey, Parties, Slavery, and the Union in Antebellum Georgia (Athens: University of Georgia Press, 1978), 22.

The division between the two groups had begun in the mid- and late-1790s. James Jackson, a Revolutionary War hero and Democratic Republican senator out of Savannah, resigned his seat and returned to Georgia to lead the fight in favor of rescinding the sale of public lands along the Yazoo River. Jackson and his supporters argued the sale had been fraudulent; and, they were successful in having the original sale overturned. Jackson's lieutenants in the fight were two young politicians, George M. Troup and William H. Crawford. Those who fought against the Rescinding Act felt they had been slandered by Jackson's charge of fraud. The anti-Jackson forces gathered around John Clark, the son of General Eliza Clark, another Revolutionary War hero. The two cliques were also divided, somewhat, by the geography of the state and economic class. The Jackson (who died in 1806)-Crawford-Troup faction tended to be more aristocratic, better educated, and either emigrants or descendants of emigrants from Virginia. Clarkites tended to settle more along the frontier line and usually traced their roots to North Carolina. Tension between the two became so strained that John Clark and William Crawford actually dueled in 1806, with Crawford suffering a shattered left wrist after Clark shot him with a pistol ball.¹⁵

¹⁵ Ulrich Bonnell Phillips, Georgia and State Rights: A Study of the Political History of Georgia from the Revolution to the Civil War, with Particular Regard to Federal Relations (Washington, D.C.: Government Printing Office, 1902), 93-97; Carey, Antebellum Georgia, 20-21; George Gilmer, Sketches of the First Settlers of Upper Georgia, of the Cherokees, and the Author (New York: D. Appleton, 1854), 1-176, 198; Edward J. Harden, The Life of George M. Troup (Savannah: E.J. Purse, 1859), 11; J.E.D. Shipp, Giant Days, or the Life and Times of W.H. Crawford (Americus, GA.: Southern Printers, 1909), 44-76. For a complete overview of the development of the two factions, see Phillips, Georgia and State Rights, 16-32; James H. Broussard, The Southern Federalists, 1800-1816 (Baton Rouge: Louisiana State University Press, 1978), 247-56, 273, 296, 364, 373, 377, 381-82; Chase C. Mooney, William H. Crawford, 1772-1834

The move in Georgia toward election of electors began with the gubernatorial election of 1823. At that time, George Troup defeated the Clarkite candidate Matthew Talbot. Troup – hoping to change the impression that the Troupites were too aristocratic – pushed forward an old Clarkite proposal that would amend the state constitution to allow popular election of governors, eliminating the use of the legislature in making the choice. This proved to be very popular with the people of Georgia. Then, the Troup and Clark factions finally took different positions on a national issue – the presidential election of 1824. The Troupite backed their favorite son, Crawford, while the Clarkites backed Andrew Jackson. John Clark was a personal friend of the General and admired him greatly. Georgia's electoral vote went to Crawford, but to no avail. Adams' selection by the House of Representatives was unsatisfactory to all sides. The election became an issue in the 1825 gubernatorial campaign between Troup and Clark, and the issue of elector selection was used as a tool to show support for Jackson's 1828 bid for the presidency.¹⁶

(Lexington: University Press of Kentucky, 1974), 1-16; Harden, Troup, 1-13; Milton S. Heath, Constructive Liberalism: The Role of the State in Economic Development in Georgia to 1860 (Cambridge: Harvard University Press, 1954), 71; George M. Lamplugh, Politics on the Periphery: Factions and Parties in Georgia, 1783-1806 (Newark: University of Delaware Press, 1986), 144-202; and W.H. Sparks, The Memoirs of Fifty Years, 3rd ed. (Philadelphia: Claxton, Remsen, & Heffelfinger, 1872), 19-27. Also, William O. Foster Sr., James Jackson: Duelist and Militant Statesman (Athens: University of Georgia Press, 1960), offers an excellent account of the founder of the original clique, and its earliest influences on Georgia politics.

¹⁶ Phillips, Georgia and State Rights, 95-112; Mooney, William H. Crawford, 213-321; Donald A. DeBats, Elites and Masses: Political Structure, Communication, and Behavior in Ante-Bellum Georgia (New York: Garland Publishing, 1990), 25-30; Carey, Antebellum Georgia, 22; Francis N. Thorpe, comp., The Federal and State Constitutions, Colonial Charters, and Other organic Laws of the States, Territories, and Colonies, Now or Heretofore Forming the United States of America, 5 vols. (Washington, D.C.:

The campaign for governor was very contentious. W.H. Sparks, a contemporary, remembered that the "virulence of party . . . pervaded every family, creating animosities which neither time or reflection ever healed." After the returns were counted, Troup won by less than seven hundred votes, largely on the strength of his stance that the federal government must uphold the Treaty of Indian Springs (a dubious document, which purportedly ceded all of the remaining Creek lands to the state) or risk hostilities with the state militia. Troup's personal victory, though, did not extend to the legislature, where Clarkites won a majority of seats. With this majority, the Clark faction put in motion their plan to change the mode of selecting presidential electors, pointing out the success of popular participation at the state level. The amendment passed with little opposition, as both sides recognized that, without a doubt, the people would support Jackson and Jackson supported the people's right to choose the president.¹⁷

The 1828 election in Georgia was somewhat anticlimactic, since both factions overwhelmingly supported Jackson. The Troupites had long had ties through Crawford campaign manager John Forsyth to Van Buren, and they easily swung to Jackson's side since Crawford was out of the picture. The Clarkites, of course, continued their support from 1824. In December 1826, the legislature adopted and Governor Troup signed a resolution stating that the people of Georgia "looked with confidence" to the election of

Government Printing office, 1909), 2: 791-809; Paul Murray, The Whig Party in Georgia, 1825-1853 (Chapel Hill: The University of North Carolina Press, 1948), 4; Georgia Journal, 3 February 1824.

¹⁷ Sparks, Memoirs, 130; Harden, George M. Troup, 334, 396; Georgia Journal, 6, 20, 27 December 1825, 10, 17 January 1826; Phillips, Georgia and State Rights, 103; Carey, Antebellum Georgia, 22-23.

Andrew Jackson. The Augusta Chronicle, the most influential Clark newspaper, gave that faction full credit for pushing democratic principles – i.e., placing the election of the governor and president in the hands of the people – against the wishes of the aristocratic Troup factions, a statement not grounded in truth. Not to be outdone, the Troupites pushed a vote in the state senate at the end of December 1827 where sixty-eight of the sixty-nine members declared their preference for the Old Hero. Both factions put forth a slate of electors – Troup's slate won – but it was redundant in that each ticket was pledged to vote for Jackson and Calhoun.¹⁸

Ironically, Jackson's election and presidency finally ended the politics of personal factions in Georgia and pushed the state into the national party system. Historian Anthony Carey accurately summarized the Jackson influence:

Jackson's forceful personality, obsessive concern with honor, fabled military career, and status as a slaveholding planter made him a model of southern white manhood and brought him victory in Georgia. His championing of Cherokee removal then cemented a popularity that long forbade opposition; state political movements for the next eight years hinged on reactions to Jackson's conduct.

George Gilmer, a prominent state politician, was even more succinct: "All in Georgia were Jackson men whilst Gen. Jackson was in office, the Clark party from choice, the Crawford [Troup] party from necessity, so that old factions began to lose their lines of demarcation, and new parties to be formed upon the general principles which divided the people of the United States." Thus, faction promoted the democratic principle of popular

¹⁸ Augusta Chronicle, 24 January 1827; Savannah Republican, 19 January 1828; Georgia Journal, 24 November 1828; DeBats, Elites and Masses, 30; Phillips, Georgia and State Rights, 119.

selection of electors for reasons that involved, mostly, personal politics. This, in turn, brought to power a man and party that overshadowed and ended their personal power struggles, engulfing both sides in the second party system.¹⁹

Unlike Georgia, Vermont's shift from legislative selection of electors to election on a general ticket was accomplished with little discussion and no political maneuvering on the part of factions within the state. Historian Richard McCormick states, "In brief, the issues that so evenly divided the nation in the Jackson era did not encompass or reflect the concerns that were most urgently felt in Vermont. . . . Vermont was such an atypical state that its politics could not be adjusted to a national norm." Vermont switched methods as a part of reform in the state in general, and, more specifically, because New York, a state with great influence in Vermont, adopted popular selection of electors.²⁰

By 1817, the old Federalist party in Vermont had ceased to function as a political entity. The Jeffersonian Republican stronghold in the state was held not because of widespread support, but because of Federalist defeats throughout the state and region. Working together, the two parties slowly melded. In 1818 the Federalist leadership endorsed the Republican candidate for governor, disbanded the party, and left Federalist candidates to run as independents. Republican leaders censured zealots who wanted to completely disregard their old opponents and openly called for reconciliation. Ex-Federalists began once more to become visible participants in government, until almost

¹⁹ Carey, Antebellum Georgia, 23; Gilmer, Sketches, 561.

²⁰ McCormick, Second Party System, 69-70.

one-third of the legislators in the mid-1820s were former Federalists. Acting as one, there was now no organized opposition to the Democratic-Republicans. Between 1818 and 1828, no Republican candidate for governor was opposed. This left them free to work on reforms in the areas of politics (especially liberalizing voting eligibility requirements and elector selection), temperance, antislavery, education, and religion.²¹

The Vermont Legislature passed the law giving selection of electors to the people on October 25, 1824, to be put into effect in 1828. Unlike in other states, there was almost no opposition to John Quincy Adams' candidacy – and the legislative records make no mention of opposition to the law change. From all appearances, the change had nothing to do with politics, but rather was only one minor part of a series of reform efforts of the time, opening voting to a larger segment of society by liberalizing voter qualification laws and placing more emphasis on popular participation in elections. The unity that so pervaded the period was not to last, though. Within two years, agitation between more populous, wealthy communities and smaller towns began to grow, leading the editors of the *North Star* to call on the people to look elsewhere for protection "from that spirit of monied, aristocratical . . . mania." By the election of 1828, the Democratic and Antimasonic parties both took advantage of the unrest and fielded candidates for local, state, and national offices. The National Republicans still held a majority, but the

²¹ William Gerald McLoughlin, New England Dissent, 1630-1833: The Baptists and the Separation of Church and State, 2 vols. (Cambridge: Harvard University Press, 1971), 2: 877-911, 1065-1274; Randolph A. Roth, The Democratic Dilemma: Religion, Reform, and the Social Order in the Connecticut River Valley of Vermont, 1791-1850 (New York: Cambridge University Press, 1987), 101, 109, 111; McCormick, Second Party System, 70-71.

unity gained over the past decade was much less secure. The change in method of selecting electors had no appreciable effect on the outcome of the election of 1828 in the state. Adams won overwhelmingly, with 74 percent of the vote, taking all of the state's electors. Jackson was able to win 25 percent of the vote, however, demonstrating the inroads which opposition had made in the state.²²

Unlike Georgia and Vermont, Illinois and Kentucky made only an adjustment in their method of selecting electors. In previous elections, both states had chosen electors to represent a specific electoral district. When using this method, a state's electoral vote could be split between the candidates. Indeed, just such a scenario happened four years earlier in Illinois, where the state's three electors were divided two to one in favor of Jackson. For the 1828 election, both states adopted popular election on a general ticket. In this way, the state's entire electoral vote could be given to one candidate. Apparently, both states adopted this method just for that reason. Factions dominated politics in Illinois and Kentucky, and the factions were only just beginning to ally themselves with the national party candidates. In an effort to give as much support as possible to one candidate in an election where, conceivably, every vote mattered, the factions meant to deliver all of their state's vote, not just part of it.

²² Acts of Vermont, 1824, Chapter 2; Journal of the Assembly of the State of Vermont, 1824; Vermont Intelligencer, 14, 28 September 1825, 12, 19, October 1825; North Star, 13 March 1827. For a complete discussion of the social and political reforms see Roth, Democratic Dilemma; Robert E. Shalhope, Bennington and the Green Mountain Boys: The Emergence of Liberal Democracy in Vermont, 1760-1850 (Baltimore: The Johns Hopkins University Press, 1996); and David M. Ludlum, Social Ferment in Vermont, 1790-1850 (New York: Columbia University Press, 1939).

Illinois' most prominent historian, Theodore C. Pease, described the state's political division as "chaos" during its first ten years as a state. There were no parties to speak of, only factions. Governor Ninian Edwards, former Chief Justice of Kentucky and the first territorial governor of Illinois, headed one faction. His most trusted advisor and lieutenant was his son-in-law, Representative Daniel Pope Cook. Arrayed against the Edwards faction was a continuously shifting group of men who disliked Edwards for personal reasons. Politically both groups supported the same basic principles, mainly removal of Indians and a liberal policy of land disposal. The factions usually only became active when major state and national offices – senators, congressional seats, governor, lieutenant governor – were available. When voting for seats in the state legislature took place, though, the factions generally did not take part, letting local candidates and issues take center stage. Once, when Edwards ignored this long-standing tradition and criticized local legislators for their position on state banking issues, both members of his faction and newspapers throughout the state publicly chastised him.²³

Election laws in Illinois were just as chaotic, being changed or refined every two years when a new legislature was seated. The laws under the constitution of 1818 were quite democratic, calling for popular election of the governor, lieutenant governor, senators, and representatives in the state assembly, congressional representatives, and many county officials. This first set of election laws also provided for *viva voce* election

²³ Ninian W. Edwards, History of Illinois from 1778 to 1833; and Life and Times of Ninian Edwards (Springfield: Illinois State Journal Company, 1870), 203-06; Illinois Intelligencer, 6 July 1826; Theodore C. Pease, Illinois Election Returns, 1818-1848 (Springfield: Illinois State Historical Library, 1923), xviii, xix; McCormick, Second Party System, 279, 281.

– by voice rather than ballot. This was not a means of intimidating voters or upholding deference. Pease states:

Probably a more valid reason for *viva voce* elections was the widespread illiteracy that made many voters either subject to deception by ballots offered them under false representation, or in danger if they tried to write their own ballots of seeing their votes thrown out through a mistaking of offices or names of candidates. The general assembly . . . was ultimately forced by public opinion to make their elections in most cases *viva voce* also.

The following year, the general assembly passed a set of election laws to deal specifically with presidential electors. Under this law, the governor was to set electoral districts every four years, based on the state's voting population and number of representatives in Congress.²⁴

The move to using a general ticket had its roots in the outcome of the 1824 election. As stated in the previous chapter, Illinois was one of the states Jacksonians pointed to when claiming that the General had been cheated in the election. In terms of electors, Jackson won the popular vote in two out of the three districts, thus gaining two electors to Adams' one. When the vote went to the House of Representatives, though, Cook cast Illinois' lone vote for Adams, setting aside the people's choice. The perception, in the state and throughout the country, was that Jackson and the people had been denied. In reality, the returns, as best can be determined, do not necessarily bear this out. In his collection, Illinois Election Returns, Pease reported the following vote totals by district, commonly accepted at that time:

²⁴ Pease, Illinois Election Returns, lix-lx, lxiv-lxv; Illinois, Laws of 1819, 101. In 1823, the Illinois General Assembly restored the use of ballots (see Illinois, Laws of 1823, 53).

	<u>Adams</u>	<u>Jackson</u>	<u>Crawford</u>	<u>Clay</u>	<u>Scattered</u>
District 1	1,062	728*	—	343	11
District 2	225	666	—	476	1
District 3	253	497	218	227	—
Total	1,540	1,891	218	1,043	12

The problem with this tally is that one candidate for elector in District 1, James Turney, ran under the designation "Jackson or Clay." Turney received 629 votes and these were given to Jackson. Thus, it is not clear that Jackson was the people's choice at all in the first district. If somehow these votes could be distributed in a manner that accurately reflected the voters' choice, Jackson's total might have been less than that of Adams. Regardless of the vote totals, Pope's vote represented the entire state, and the majority of state politicians and newspapers were skeptical of the outcome. The terms "bargain and corruption" resounded loudly. With this in mind, the anti-Edwards faction that controlled the state assembly in 1826-1827 passed a new election law mandating the choice of electors on a general ticket. The effect would be two-fold. First, the state would give its entire vote to a single candidate and be more powerful on the national scene. Second, no one would be able to question which candidate had the support of the majority of voters should the election devolve on the House of Representatives in the future.²⁵

²⁵ Pease, Illinois Election Returns, xxiii-xv, lxvi, 30-35; Illinois Intelligencer, 6 July 1826; Illinois, Laws of 1827, 188; Thomas Ford, A History of Illinois, From Its Commencement as a State in 1818 to 1847, Containing a Full Account of the Black Hawk War, the Rise, Progress, and Fall of Mormonism, the Alton and Lovejoy Riots, and Other Important and Interesting Events (Chicago: S.C. Griggs & Co., 1854), 74-75; Theodore C. Pease, The Frontier State, 1818-1848 (Chicago: A.C. McClurg & Co., 1922), 106-08, 111-13. Later research gives Adams the plurality in Illinois (see previous chapter). Pope lost his reelection bid in 1826, but it is not clear whether he lost because of the presidential election of 1824 or because Ninian Edwards, his father-in-law, was

As for the election of 1828 itself, the state politicians seemed more preoccupied with gaining power for their various factions. James Hall, in a letter to senatorial hopeful Thomas Sloo, outlined the struggle:

Smith, Kinney, and West are about to set up a Newspaper at Edwardsville – ostensibly for Jackson, but in fact to operate in State politics. Smith and Kinney want to be Senator and Governor. They go against Edwards, Thomas, but most especially Reynolds and Tom Reynolds, the Beairs, etc., Jno Reynolds wants to be Senator - is inveterate against Smith, Edwards, Thomas and don't much like McLean. *Party No. 3* consists of Jesse B. Thomas *Solus* – the privates and officers yet to be enlisted. The Honorable Jesse is very bitter against Smith and Co., but more against McLean. He swears that McLean is a dishonest man and a dishonest politician – that he can't, and by God – he shant be elected!

I do not see how the above named men can ever again amalgamate, at any rate they will not join with *Party No. 4* which consists of Jno McLean and his friends – Nor with *Party No. 5* which is composed of Edwards & Co.

Depend upon it, my dear sir, these combinations which are going on in our State will ruin every man who is engaged in them. The people are beginning to complain loudly. Kinney is sinking faster than I ever saw any man, his violence disgusts even his friends. Thomas and Edwards are gone. Smith is universally feared, his ambition and his intriguing spirit alarm friends and foes. Lockwood and Wilson are greatly depreciated. All of these men must go down. McLean stands best, but his prospects are very doubtful²⁶

Although there was widespread support for the election law change, the factions were not unanimous in their support for a candidate. Jacksonians three times introduced a resolution in the state house expressing support and confidence in Jackson while condemning the "bargain and sale . . . contrary to the will of the majority." Rather than

running for governor that year and the Edwards faction as a whole did poorly in that election cycle.

²⁶ Transactions of the Illinois State Historical Society for the Year 1911 (Springfield: Illinois State Journal Co., 1913), 41-42.

speaking against Jackson, opponents of the resolution claimed that it would prejudice Congress and the administration against the land grant for which the state was currently petitioning. Outside of the legislature, the Jacksonians conducted a series of county meetings to drum up support. "They hope," wrote the editors of the *Illinois Intelligencer*, "by this means, not only to discover their own strength but to give tone to public feeling; and if possible, induce a belief that Jackson is the strong candidate." As an aid, one faction began to publish the Illinois Corrector to spread the Jacksonian message and coordinate meetings. The Illinois Gazette, an Adams paper, took glee in pointing out that only twelve to fifteen people attended most of the Jackson-sponsored county meetings, and the Corrector was not widely read.²⁷

Just as in the other states, most of the campaign in Illinois focused on personality rather than issues. Of course, Jackson was portrayed as a military chieftain, a "rowdy, a cockfighter, a gambler, and a devotee of the code of honor." One speaker at a Fourth of July rally, "reminded his hearers that popular rights was the favorite theme of demagogues and that the fathers of the republic had equally opposed the despotism of a monarch as the licentiousness of the mob." Jackson's ruthlessness in dealing with deserters during the War of 1812 was even put to verse:

He ordered Harris out to dire
And five poor fellows more!
Young gallant men in prime of life,
To welter in their gore.

²⁷ Pease, Frontier State, 116-17; McCormick, Second Party System, 281; Illinois Intelligencer, 24 March 1827, 12 October 1827, 5 January 1828, 1, 29 March 1828, 10 May 1828, 1 June 1828; Illinois Gazette, 3, 17 May 1828. No copies of the Illinois Corrector remain.

'Twas all in vain, John Harris prayed,
'Tis past the soul's belief.
Hard as flint was Jackson's heart,
He would not grant relief.²⁸

One issue of national policy, though, did play a role in the state. Internal improvements and protection of manufacturers was a powerful issue in a state growing so rapidly. Adams' supporters argued that canals and protective tariffs would bring an economic boost to the region. Many Jackson supporters agreed with the sentiment and tried to paint Jackson as pro-internal improvements and pro-tariff also, even going so far as to issue a statement to that effect during their state convention in Springfield. In the end, Jackson won the state by almost a two to one margin. Significantly, though, only 52 percent, or just over 14,000, of the population turned out to vote. Almost 17,000 voted in August of the same year for the state's lone representative, and almost 22,000 voted in 1830 for governor. The enthusiasm, apparently, was less than Jacksonians made it.²⁹

Kentucky had much in common with Illinois in that factions played a large role in state politics. Additionally, the factions did not really dissolve until 1828 when the two national parties took hold throughout the country. But, unlike Illinois, the powerful leadership and personal popularity of one man – Henry Clay – dominated Kentucky politics. With the ascendancy of Martin Van Buren – an old Clay nemesis – in the Jackson camp, Clay's support of Adams in 1828 formed two distinct groups in the state:

²⁸ Illinois Intelligencer, 4 August 1827, 13 October 1827, 17 November 1827, 1 December 1827, 5 April 1828, 24 May 1828; Pease, Frontier State, 118-20; Illinois Gazette, 7 June 1828. The verse was reprinted in Chicago Democrat, 29 April 1840.

²⁹ Illinois Intelligencer, 21 April 1827, 10 May 1828; Illinois Gazette, 10 May 1828; Pease, Illinois Election Returns, 54-56, 61-64.

those who disliked the New Englander but respected Clay and despised Van Buren, and those who supported Jackson, despite Clay's opinion, wholeheartedly as the candidate most in tune with western ideals. McCormick writes: "Kentucky had Henry Clay, and in Kentucky . . . Clay commanded sufficient popular support to provide a secure base for opposition to Jackson." With few exceptions, Clay's presence meant that those who opposed Adams would often do so in a way so as not to offend Clay. Finally, in many ways, the election also turned on an old issue – debt relief – which was a major theme in state elections from 1819 to 1827. The split in the state between pro- and anti-Relief – or New and Old Court – legislators would find its way into presidential politics. Both groups, whether split along national political lines or state banking and relief lines, were determined that the state's electoral vote in 1828 would be all or nothing. Rather than Adams versus Jackson, in Kentucky the race was between Clay and Jackson, a veritable rematch of 1824, but with the "corrupt bargain" accusation and banking issues taking center stage.³⁰

As discussed earlier, Kentucky's vote for Adams in the House election of 1825 created a great deal of controversy. After publicly declaring his support for Adams, Clay spent a great deal of time persuading the Kentucky delegation, among others, to follow his lead. Many, including the influential Senator Richard Johnson, were adamantly opposed to this, especially since Adams had not received a single popular vote in the state and because the Kentucky state legislature had explicitly instructed the representatives to vote for the western candidate – a description that fit only Jackson. Public opinion in

³⁰ McCormick, Second Party System, 210.

Kentucky swung against Clay, especially after Adams appointed Clay to the position of Secretary of State. Colonel Johnson, a long-time friend of Clay's, was particularly outraged. Although he never publicly challenged him, his disdain for Adams and the "corrupt bargain" was made clear in the following exchange William Seaton, an editor of the National Intelligencer, recorded for Niles' Weekly Register:

Sometime in the session of 1825-26, as I was passing through the senate chamber to the secretary's table after the senate had adjourned, I was hailed by col. Johnson, (sitting near one of the fire places under the gallery, with one other member standing or walking near him), who, in his familiar manner of speaking said, "how goes it old friend; well, when are you coming out?"

Editor On what subject, Colonel?

Col. J. Why on the presidential question. Are you not coming out against the administration?

Editor I can't tell. The administration had hardly commenced its career yet, and I don't see anything, so far, to condemn.

Col. J. What of that? Has not Clay taken away the laws from your paper?

Editor True; but that would be making a private grievance a motive for public conduct; and that we cannot do As for Mr. Clay, I know he is no friend of ours . . . but the administration may pursue a policy that we have approved in other administrations . . .

Col. Johnson (with vehemence, and, I think, with an oath) – I would not care for that. If any body injured me, I would give them as good as they sent; and, as for this administration, we will turn them out, as sure as there is a God in Heaven.

Editor But, Col. how can you say so, before you see what course the administration will adopt. Suppose they consult the public interest, and pursue a course that you think right?

Col. J. I don't care (raising his arm and speaking with warmth), for by the Eternal, if they act as pure as the angels that stand at the right hand of the throne of God, we'll put them down.

Apparently, Johnson was in full agreement when Jackson proclaimed, “Thus you see hear [*sic*], the voice of the people of the West have been disregarded, and demagogues barter themselves as sheep in the shambles, for their own views, and personal aggrandisement [*sic*].”³¹

The state elections in 1824 and 1826, when the issue of debt relief once more became prominent, further solidified the division between Clay and Jackson supporters. After the panic of 1819, many in Kentucky sought relief from creditors through state legislative action, while others claimed this was outside of the legislature’s powers. The state was divided into pro- and anti-Relief Bill supporters. Johnson, Amos Kendall, and Francis Preston Blair were among the leaders of the relief legislation, and Kendall, in particular, championed the cause through the press. Bowing to popular pressure, the legislature passed the Relief Bill, protecting debtors from land confiscation and bank

³¹ Robert V. Remini, The Legacy of Andrew Jackson: Essays on Democracy, Indian Removal, and Slavery (Baton Rouge: Louisiana State University Press, 1968), 18-19; Remini, Course of American Freedom, 179-95; Thomas Crittenden Cherry, Kentucky: The Pioneer State of the West (Boston: D.C. Heath and Company, 1923), 225-27; Leland Winfield Meyer, The Life and Times of Colonel Richard M. Johnson of Kentucky (New York: AMS Press, 1967), 220-21; Niles’ Weekly Register, 28 April 1827; Andrew Jackson to John Overton, 10 February 1825, quoted in Remini, Legacy of Andrew Jackson, 19. The reference made by Johnson about Clay having “taken away the laws from your paper” refers to Seaton having previously held the contract to publish all proceeding of the United States Congress. This was given to another publisher. Another note: Johnson, although never publicly condemning Clay for his support of Adams, was conveniently absent when the Senate voted on his confirmation as Secretary of State. Normally, the senior senator from the appointee’s states presents the nomination and speaks on the nominee’s behalf. Johnson’s silence on this matter spoke volumes about his feelings on the issue of “bargain and corruption.” Clay, himself, even referred to Johnson’s absence during the vote. See Meyer, Richard M. Johnson, 221.

foreclosures. Many thought the issue had died down, but then, in the spring of 1824, the Kentucky Supreme Court overturned the Relief Bill, and the issue once again resounded loudly throughout the state. The state legislature, under the leadership of Pro-Relief Governor Joseph Desha and with a clear majority of Relief Party members, dismantled the state Supreme Court and created a new one, leading to the formation of the Old Court and New Court factions. Confusion reigned in the state as both courts heard cases and claimed to be the legitimate authority in the judicial arena. Ultimately, the New Court was abandoned and the Old Court reinstated, but the political divisions held through the legislative sessions of 1826/1827 and were then merged into the Democratic and National Republican Parties. Clay, an early supporter of relief legislation, was then cast in the light of deserter, widening the split between his supporters and the coalition of Johnson, Kendall, and Blair who worked on Jackson's behalf.³²

During 1827 the Kentucky legislature took up the issue of elector selection. Each party was determined to try to give the entire state vote to one candidate or the other. The state elections in 1827 showed that the parties were evenly matched, with an almost equal division in the state legislature and the Jacksonians having a five to seven advantage in the national delegation. At this time, it seemed a toss-up on who would win the presidency and there was no opposition to the change in electoral law. Passed in the fall of 1827, the law was signed in February, 1828. The next few months before the

³² Patriot, 13 March 1826, 19 June 1826; Meyer, Richard M. Johnson, 227-232; Cherry, Pioneer State, 222-27; Steven A. Channing, Kentucky, (New York: W.W. Norton & Co., 1977), 87.

actual voting took place would be devoted to setting up committees and organizations throughout the state with the aim of winning the vote.³³

The election itself played out along the same lines that it did nationally, with few exceptions. Two notable attacks however, were used in Kentucky that could not be found in other states. First, Jackson's opponents widely circulated his comments about the poor performance of Kentucky riflemen at the Battle of New Orleans sixteen years earlier. More important, the same opponents tried to blunt the Jacksonian argument about the "corrupt bargain" by recounting an instance in which, they claimed, Jackson himself tried to barter a position in the administration in exchange for Kentucky's vote. Representative David Trimble, when explaining his vote against Jackson in the House election, accused the Jacksonians of trying to bribe another Kentucky Representative, Thomas Metcalfe, with the position of senator in exchange for his vote. The position would be available since most believed that if elected Jackson would appoint Colonel Johnson to the position of Secretary of War. Metcalfe supported Trimble's accusations in a letter dated 6 October 1826:

I was at a loss to perceive how the election of Jackson could bring me so near the senate, and I asked him [Major Thomas P. Moore] how such an event could happen as no vacancy could occur for several years in Kentucky? His answer was – "If Jackson is elected, Col. Johnson will receive the appointment of secretary of war!" I then asked him how it could be so understood? He replied with a significant nod, "that in passing through Kentucky, the friends of the general or the general himself, - I am not certain which – had given the intimation to the friends of Colonel Johnson."

³³ Argus of Western America, 26 September 1827; Acts of the First Session of the 36th General Assembly of Kentucky, 1827, 167; Argus of Western America, 16 January 1828; McCormick, Second Party System, 216.

Moore, a Jackson supporter, tried to blunt the effect of the letter in a slightly different version of the conversation:

While the Presidential election was pending before the House, and after I was apprised that General Thomas Metcalfe then a member, intended to vote for Mr. Adams, I mentioned to him the reception of a letter from Gen. M'fee, a relative of mine, and the friend of General Metcalfe, which said "we all hope and believe that General Jackson will appoint Col. Johnson Secretary of War; and in the event the party will reward our friend Gen. Metcalfe for his magnanimity in refusing to be used by the anti against Rowan [a reference to the issue of debt relief]. He will be elected to fill the vacancy."

Clearly, Moore was trying remove the conversation as far from Jackson as possible, but in the end many who were inclined to support Clay saw this as evidence that neither side was really free of the bargain and corruption charges.³⁴

The outcome in Kentucky was not really close. Jackson received almost 56 percent of the vote (39,308), while Adams only took 44 percent (31,468). Many factors entered into the outcome; most important were Jackson's regional appeal and the fact that the democratic rhetoric of the Jacksonians resounded positively in a state where issues like debt relief had placed such an important role throughout the decade. Adams and Clay were in many ways perceived as supporters of the anti-Relief, or Old Court, politics of aristocracy that were unpopular in the state. Even Clay's personal popularity could not save the incumbent from defeat in the state.³⁵

³⁴ Channing, Kentucky, 87; Niles Weekly Register, 11, 18 October 1828; Commentator, 20 September 1828.

³⁵ Moore, Guide to Elections, 369; Channing, Kentucky, 87-88. One interesting note is that two of the main Jacksonian supporters in Kentucky, Francis Preston Blair and Amos Kendall, became major advisors to Jackson during his presidency. Their position on state banking issues played a large role in influencing Jackson toward his decision to

Andrew Jackson's victory in 1828 ushered in a new age, one where democracy was touted as the cure for corruption and intrigue in politics. Right or wrong, the perception among many was that the nation's political system was out of control and that to counter this, the people must be heard. For electoral politics, this meant pushing the states toward the more democratic system of allowing the people to vote for electors, rather than appointing them through legislative action. This did not mean, however, that the politicians of the period were willing to give up their power in either presidential or party politics. While many were intent on bringing the people into the process, others were equally as willing to use electoral and presidential politics as a way to increase party or state power. In the end, more states changed their method of selection to increase their standing with the national parties rather than to promote democratic principles. Vermont alone seems to have had purely reform motives in regard to change. Also, whether the intentions of the state politicians were to promote democracy or to gain power, the result was to open the process to popular participation on a scale never seen before. Almost 800,000 more voters participated in the 1828 presidential election, and more than one-half of them came from states that changed the method of voting for electors – an increase due to more than just the natural population growth.

As for Jackson, by 1828 he had wholly embraced the idea of popular choice in presidential elections, and many of his followers took their lead from him. Whether or not his motives were derived from a true embrace of democracy or simply a reaction to

put an end to the Bank of the United States. The issue of banking and relief, then, had major importance beyond the party alignments in Kentucky during the 1828 election.

the 1824 election is not important. Over the eight years of his presidency from 1829 to 1837, he made adopting a constitutional amendment providing for the direct election of the president and vice president a major theme in every State of the Union addresses.

Indeed, he devoted a lengthy passage to the subject in his first Inaugural Address:

I consider it one of the most urgent of my duties to bring to your attention the propriety of amending that part of our Constitution which relates to the election of President and Vice-President. Our system of government was by its framers deemed an experiment, and they therefore consistently provided a mode of remedying its defects.

To the people belongs the right of electing their Chief Magistrate; it was never designed that their choice should in any case be defeated, either by the intervention of electoral colleges or by the agency confided, under certain contingencies, to the House of Representatives. Experience proves that in proportion as agents to execute the will of the people are multiplied there is danger of their wishes being frustrated. Some may be unfaithful; all are liable to err. So far, therefore as the people can with convenience speak, it is safer for them to express their own will.

The number of aspirants to the Presidency and the diversity of the interests which may influence their claims leave little reason to expect a choice in the first instance, and in that event the election must devolve on the House of Representatives, where it is obvious the will of the people may not be always ascertained, or, if ascertained, may not be regarded. From the mode of voting by States the choice is to be made by 24 votes, and it may often occur that one of these will be controlled by an individual Representative. Honors and offices are at the disposal of the successful candidate. Repeated ballotings may make it apparent that a single individual holds the cast in his hand. may he not be tempted to name his reward? But even without corruption, supposing the probity of the Representative to be proof against the powerful motives by which it may be assailed, the will of the people is still constantly liable to be misrepresented. One may err from ignorance of the wishes of his constituents; another from a conviction that it is his duty to be governed by his own judgment of the fitness of the candidates; finally, although all were inflexibly honest, all accurately informed of the wishes of their constituents, yet under the present mode of election a minority may often elect a President, and when this happens it may reasonably be expected that efforts will be made on the part of the majority to rectify this injurious operation of their institution. But although no evil of this character should

result from such a perversion of the first principle of our system – *that the majority is to govern* – it must be very certain that a President elected by a minority can not enjoy the confidence necessary to the successful discharge of his duties.

In this as in all other matters of public concern policy requires that as few impediments as possible should exist to the free operation of the public will. Let us, then, endeavor so to amend our system that the office of chief Magistrate may not be conferred upon any citizen but in pursuance of a fair expression of the will of the majority.

I would therefore recommend such an amendment of the constitution as may remove all intermediate agency in the election of the President and Vice-President. The mode may be so regulated as to preserve to each State its present relative weight in the election, and a failure in the first attempt may be provided for by confining the second to a choice between the two highest candidates. In connection with such an amendment it would seem advisable to limit the service of the Chief Magistrate to a single term of either four or six years. If, however, it should not be adopted, it is worthy of consideration whether a provision disqualifying for office the Representatives in Congress on whom such an election may have devolved would not be proper.³⁶

Very neatly, Jackson advocated all of the resolutions that had previously been introduced in Congress between the elections of 1824 and 1828. At the same time, he made clear his opinion of Henry Clay, John Quincy Adams, and those who voted against their state's wishes in the previous election. Historian T.P. Abernathy claimed that Jackson's motives were in no way democratic, but rather political and spiteful: "No historian has ever accused Jackson, the great Democrat, of having had a political philosophy. It is hard to see that he even had any political principles. He was a man of

³⁶ James D. Richardson, comp., A Compilation of Messages and Papers of the Presidents, 1789-1897, 20 vols. (New York: Bureau of National Literature, 1924), 3: 110-11.

action, and the man of action is likely to be an opportunist.” Old Hickory, Abernathy concluded, constituted a paradox. “He belonged to the moneyed aristocracy of Nashville, yet he was a self-made man and devoid of snobbishness. He thought he was sincere when he spoke to the people, yet he never really championed their cause. He merely encouraged them to champion his.” Whether Jackson was a democrat or an opportunist, the people and members of the party that rose around him, perceived him to be the people’s champion. This, in turn, promoted the more democratic approach that evolved in presidential politics. Just as perception fueled the Jacksonian vigor after the “bargain and sale” in 1824, perception became the biggest promoter of democracy in 1828.³⁷

³⁷ Thomas Perkins Abernathy, “Andrew Jackson and the Rise of Southwestern Democracy,” American Historical Review 33 (October 1927): 76.

CHAPTER 6

THE ELECTION OF 1832: THE GENERAL TICKET PROMISES

UNIFORMITY AMONG THE STATES

The presidential election of 1832 was in many ways similar to 1828 in that several states changed their method of selecting electors and, again, Andrew Jackson was a candidate. The election was also markedly different, though, because several major issues of national importance became part of the debate. The election was seen as a national referendum on Jackson's actions, or inaction in one case, as president.

Electorally, the states continued the trend toward universal adoption of the general ticket method of choosing electors. Of the twenty-four states participating, only two, Maryland and South Carolina, used a different method – the district system in the former and legislative selection in the latter. Stressing the need to award a single candidate all of the state's votes, and do so democratically, Maine, Delaware, New York, and Tennessee enacted election laws mandating popular selection on a general ticket.

Three major issues framed the election debate – the nullification crisis involving South Carolina, the Supreme Court's decisions regarding Georgia's dealings with the Cherokee Indians, and the veto of the Bank of the United States recharter bill. Each had a tremendous impact on the voting public. In addition, the issues brought together two former enemies, John C. Calhoun and Henry Clay. Working under the umbrella of the

National Republican party, they both sought to remove Jackson from the highest office in the land.¹

South Carolina had long opposed the use of protective tariffs in the United States. Calhoun, who had anonymously written the South Carolina Exposition and Protest four years earlier, thought he would be able to use his influence with Jackson to see that the tariff rates were lowered. Jackson himself believed that tariffs should be used, but more judiciously than in previous years. Despite his support for Jackson's presidency and his position as vice-president, Calhoun found himself in no position to influence the president when Congress set the 1832 tariffs. Calhoun's loss of strength was due in part to the Peggy Eaton Affair. Peggy O'Neale Eaton, the wife of Secretary of War John Eaton, had been the target of malicious gossip from other cabinet wives, similar to that which Rachel Jackson had endured during the 1828 campaign. When Jackson tried to force the cabinet wives to socialize with Peggy Eaton, most of the cabinet resigned. Calhoun's wife, Floride, was also opposed to accepting her and the vice-president suffered for her actions. In addition, Jackson had learned in 1830 that during cabinet debates in 1818, Calhoun as Secretary of War had urged that Jackson be censured for his invasion of Florida, seizure of the Spanish forts at St. Marks and Pensacola, and the execution of two British subjects, Alexander Arbuthnot and Robert Ambrister. When Jackson learned of Calhoun's support of the censure, he concluded the vice-president

¹ Two excellent accounts of the entire election are Robert V. Remini, Andrew Jackson and the Course of American Freedom (1981; reprint, Baltimore: The Johns Hopkins Press, 1988), 353-392 and Samuel R. Gammon, The Presidential Campaign of 1832 (Baltimore: The Johns Hopkins Press, 1922) in its entirety.

could no longer be trusted. Taken together, these incidents led Calhoun to believe he would be better off in another position. He resigned the vice-presidency and returned to South Carolina, where Governor Robert Hayne immediately appointed him senator. As senator, Calhoun pushed South Carolina into defying the federal government and threatening military action if any attempts were made to collect tariffs within the state. Although the issue was settled peacefully with South Carolina accepting a lower tariff rate, the issue pointed out the conflict growing between states' rights advocates and the rest of the nation.²

The issue of Indian removal reinforced negative opinions of Jackson as hardhearted throughout the northeastern part of the country. The debate centered on Georgia extending its jurisdiction in 1829 to about nine million acres of land that lay within its boundaries but were still occupied by the Cherokee Indians. The Cherokees' title to the land, on which gold had been discovered, had been guaranteed previously by

² Remini, Course of American Freedom, 300-330; Eugene H. Roseboom, A History of Presidential Elections (New York: Macmillan, 1959), 95-99; Martin Van Buren, The Autobiography of Martin Van Buren, ed. by John C. Fitzpatrick (1920; reprint, New York: Augustus M. Kelley Publishers, 1969), 376-79, 402-08; Royce C. McCrary, Jr., "The Long Agony is Nearly Over": Samuel D. Ingham Reports of the Dissolution of Andrew Jackson's First Cabinet," Pennsylvania Magazine of History and Biography 100 (October 1976): 235-37; Edward Stanwood, A History of Presidential Elections (Boston: Osgood and Co., 1884), 102-03; Edward Stanwood, A History of the Presidency, 2 vols. (Boston: Houghton Mifflin Co., 1924), 1: 154-55. For an accurate and complete account of the cabinet issues, see Richard B. Latner, The Presidency of Andrew Jackson: White House Politics, 1829-1837 (Athens: University of Georgia Press, 1979). A full account of the tariff issue can be found in Richard E. Ellis, The Union at Risk: Jacksonian Democracy, States' Rights, and the Nullification Crisis (New York: Oxford University Press, 1987), as well as William W. Freehling, Prelude to Civil War: The Nullification Controversy in South Carolina, 1816-1836 (New York: Harper & Row, 1965).

treaty; thus, the Indians appealed to the federal courts to uphold their sovereignty over the land in question. The Supreme Court ruled against Georgia, but the state ignored those decisions and continued to enforce its jurisdiction. Jackson made no effort to restrain Georgia and enforce the Court's ruling. Southern and western states applauded Jackson's non-action, while in New England especially, the president came under extreme criticism.³

The most important issue relating the 1832 election, though, involved the Bank of the United States. The Charter of the Bank was due to expire in 1836. The president had not clearly defined his position on the Bank, but he was increasingly uneasy about its power. More significant in an election year was the fact that large blocs of voters who favored Jackson were openly hostile to the Bank. In the summer of 1832, Jackson's opponents, led by Clay, rushed through Congress a bill to recharter the bank, forcing Jackson to either sign the measure and alienate many of his supporters or to veto it and appear to be a foe of sound banking practices. Jackson's cabinet was divided between friends and critics of the Bank, but the obviously political motives of the Recharter Bill reconciled all of them to the necessity of a veto. On July 10, 1832, just a little over four months before the election, Jackson sent his veto message, stating, "Having come to the conclusion that it ought not to become a law, I herewith return it [the bill] . . . with my

³For more information on the issue, see Robert V. Remini, The Legacy of Andrew Jackson: Essays on Democracy, Indian Removal, and Slavery (Baton Rouge: Louisiana State University Press, 1988); Michael Paul Rogin, Fathers and Children: Andrew Jackson and the Subjugation of the American Indian (New York: Knopf, 1975); and Anthony F.C. Wallace, The Long Bitter Trail: Andrew Jackson and the Indians (New York: Hill and Wang, 1993).

objections." His major objections were that it had a virtual monopoly in the banking industry, it could fall under the sway of foreign nationals, and that, despite court rulings to the contrary, it was probably unconstitutional in its current form. Robert Remini sums up the dilemma this veto created:

Jackson, in writing the veto as he did, laid the Bank issue squarely before the American people for decision. Never before had a Chief Executive taken a strong stand on an important matter, couched his position in provocative language, and challenged the electorate to unseat him if they did not approve. And the alternative was clear. Either Clay and the Bank – or Jackson and no Bank.

The election results would answer the question.⁴

The 1832 election was also different from 1828 in that a third-party candidate had emerged. Jackson, of course, represented the Democratic party, and the National Republican party nominated Clay. Added to this was the Anti-Masonic party, which chose William Wirt as their standard bearer. The election results show that despite the presence of serious issues and opponents, the greater majority of the voters supported Andrew Jackson, if not his policies. With 54 percent of the votes, Jackson soundly defeated Clay and Wirt, who had gained only 37 and 8 percent respectively. Electorally, Jackson defeated his opponents 219 to 49 for Clay, 7 for Wirt, and 11 for John Floyd who had been selected by the South Carolina legislature but received no votes, popular or electoral, outside that state.

⁴ James D. Richardson, comp., A Compilation of the Messages and Papers of the Presidents, 1787 to 1924, 20 vols. (New York: Bureau of National Literature, Inc., 1924), 3: 1139-1154; Remini, Course of American Freedom, 353-373. A complete history of the issue can be found in Robert V. Remini, Andrew Jackson and the Bank War (New York: W.W. Norton & Co., 1967).

TABLE 9. 1832 POPULAR ELECTION RESULTS BY STATE⁵

State	Total Vote (Popular and Electoral)		Andrew Jackson		Henry Clay		William Wirt	
Alabama	14,291	7	14,286	100.0 7	5	0.0 –	–	– –
Connecticut	32,833	8	11,269	34.3 –	18,155	55.3 8	3,409	10.4 –
Delaware	8,386	3	4,110	49.0 –	4,276	51.0 3	–	– –
Georgia	20,750	11	20,750	100.0 11	–	– –	–	– –
Illinois^a	21,481	5	14,609	68.0 5	6,745	31.4 –	97	0.5 –
Indiana	57,152	9	31,652	55.4 9	25,473	44.6 –	27	0.0 –
Kentucky	79,741	15	36,292	45.5 –	43,449	54.5 15	–	– –
Louisiana	6,337	5	3,908	61.7 5	2,429	38.3 –	–	– –
Maine	62,153	10	33,978	54.7 10	27,331	44.0 –	844	1.4 –
Maryland^b	38,316	10	19,156	50.0 3	19,160	50.0 5	–	– –
Massachusetts^c	67,619	14	13,933	20.6 –	31,963	47.3 14	14,692	21.7 –
Mississippi	5,750	4	5,750	100.0 4	–	– –	–	– –
Missouri	5,192	4	5,192	100.0 4	–	– –	–	– –
New Hampshire	43,793	7	24,855	56.8 7	18,938	43.2 –	–	– –
New Jersey	47,760	8	23,826	49.9 8	23,466	49.1 –	468	1.0 –
New York	323,393	42	168,497	52.1 42	154,896	47.9 –	–	– –
North Carolina	29,799	15	25,261	84.8 15	4,538	15.2 –	–	– –
Ohio	158,350	21	81,246	51.3 21	76,566	48.4 –	538	0.3 –
Pennsylvania	157,679	30	90,973	57.7 30	–	– –	66,706	42.3 –
Rhode Island^d	5,747	4	2,051	35.7 –	2,871	50.0 4	819	14.3 –
South Carolina	N/A	11	N/A	–	N/A	–	N/A	–
Tennessee^e	29,425	15	28,078	95.4 15	1,347	4.6 –	–	– –
Vermont	32,344	7	7,865	24.3 –	11,161	34.5 –	13,112	40.5 7
Virginia	45,682	23	34,243	75.0 23	11,436	25.0 –	3	0.0 –
Total	1,293,973	288	701,780	54.2 219	484,205	37.4 49	100,715	7.8 7

a-30 votes (0.1%) cast for a write-in candidate, name unknown; b-2 electors did not cast ballots; c-7,031 (10.4%) scattered write-in votes cast; d-6 (0.1%) scattered write-in votes cast; e-206 (0.6%) scattered write-in votes cast

⁵ Information for the following table was adapted from John L. Moore, ed., Congressional Quarterly's Guide to U.S. Elections (Washington, D.C.: Congressional Quarterly, Inc., 1994), 370, 430. The South Carolina legislature gave John Floyd the state's eleven electoral votes, but he was not on the ballot in any other state; thus, his vote total is not represented in this table.

Of those states taking part in the election, four changed their method of choosing presidential electors from that used in 1828. Delaware shifted from legislative selection to the general ticket, leaving only South Carolina with the more antiquated method. Maine, New York and Tennessee changed from the district method to the general ticket. Maryland chose to keep its district system but, significantly, changed immediately after the 1832 election to the general ticket method. The transition, then, to the use of the general ticket was almost complete. No longer would a state's electoral vote be divided between candidates. Not coincidentally, the two party system was again on the way to becoming a permanent fixture in American politics.

New York's change from the district mode of elector selection to the use of a general ticket was, in large part, due to Martin Van Buren's desire to promote national party competition and had nothing to do with the presidential election of 1832. As discussed in previous chapters, New York politics in the 1820s revolved around DeWitt Clinton and those who opposed him. Clinton had been a supporter of Jackson since 1824, but bitterly opposed Van Buren; thus, the Clintonians were not fully aligned with the pro-Adams Republicans or the Van Buren/Regency-backed Democrats. Clinton's presence, then, made true national party competition difficult in the state. His death in February 1828 resolved the issue. Immediately after, the pro-Adams Clintonians aligned themselves with the National Republican party while Jacksonians supported the Regency-led Democratic party. The anti-masonry movement in the state played havoc with the 1828 election results, weakening both the major political parties. The Jacksonians were able to maintain their hold on the General Assembly and Van Buren was elected, barely,

as governor. This was a position he would hold for only two months, before taking the position as Secretary of State in the Jackson administration.⁶

Obviously, Van Buren did little in his position as governor. One change, though, was the move to the general ticket. The benefits of this change were two-fold. First and most important, use of the general ticket would allow the state's electoral vote to go to one candidate. Since New York was so populous, this made the state very influential in choosing the president. Jacksonians knew the General would have taken the whole vote had the general ticket been in place for the 1828 election and would probably do so if change were enacted in time for the 1832 election. The desire to strengthen the state's standing in the electoral race coincided neatly with Van Buren's desire to promote true two-party competition throughout the country. Parties, according to Van Buren, "are inseparable from free government," and are necessary because "disposition to abuse power . . . can by no other means be effectually checked." Party competition had other value than checking personal ambition. Van Buren believed that party competition bred discord, and this discord promoted interest in politics. In his view, voter apathy rather than dissension was a danger to a republic. On at least two occasions, he discussed the need for conflict to promote the general welfare of the country. Referring to the War of 1812, Van Buren said,

⁶ Robert V. Remini, Martin Van Buren and the Making of the Democratic Party (New York: Columbia University Press, 1959), 195; DeAlva Stanwood Alexander, A Political History of the State of New York (New York: Henry Holt and Co., 1906), 357-69; Donald B. Cole, Martin Van Buren and the American Political System (Princeton: Princeton University Press, 1984), 177; Richard P. McCormick, The Second American Party System: Party Formation in the Jacksonian Era (Chapel Hill: The University of North Carolina Press, 1966), 117-21.

. . . on the various operation of government with which the public welfare are connected, an honest difference of opinion may exist – when those differences are discussed and the principles of contending parties are supported with candor, fairness, and moderation, the very discord which is thus produced, may in a government like ours, be conducive to the public good.

He used similar words were used when addressing the Senate about the bitter election of 1824. Rather than being dangerous, he argued, party discord was a necessity:

In a government like ours founded upon freedom in thought and action, imposing no unnecessary restraints, and calling into action the highest energies of the mind, occasional differences are not only to be expected, but to be desired. They rouse the sluggish to exertion, give increased energy to the most active intellect, excite a salutary vigilance over our public functionaries, and prevent that apathy which has proved the ruin of Republics.⁷

Finally, Van Buren saw the promotion of parties as a remedy to the growing sectionalism in the country. National parties would draw men together, whereas sectionalism would drive them apart. “If the old ones [party feelings] are suppressed, geographical divisions founded on local interests or, what is worse, prejudices between free and slaveholding states will inevitable take their place,” he wrote to Virginia newspaper editor Thomas Ritchie in 1827. “Party attachment in former times furnished a complete antidote for sectional prejudices by producing counteracting feelings.” The winner-take-all general ticket system, then, would rouse the public, promote party over personal ambition, and tie different sections of the country together as the party tried to find a winning combination of states whose electoral votes would give their candidate the victory. After Clinton’s death, no one actively opposed the change in New York’s

⁷ Van Buren, Autobiography, 50, 125, 512.

electoral law. In 1832, Jackson won New York's entire electoral vote. Van Buren gained what he would term as a victory for the country, as well as the party.⁸

The next state to take up the issue of electoral reform was Maine, where politics differed greatly from the contentious state of New York. Maine had borrowed much of its political framework from Massachusetts. Prior to statehood in 1820, the Federalist and Democratic Republican parties vied for dominance, with the Democratic Republicans holding a majority of government positions. Between 1803 and 1820, the Federalists offered little competition, but they determinedly fielded candidates. When Maine applied for statehood, the Federalists were in a position of becoming inconsequential since their numbers had dwindled over the years. Faced with being a party unable to hold any elected seats, the Federalists brokered an agreement with the Republicans. In return for supporting Maine's bid for statehood, the Republicans guaranteed the Federalists a quota of government offices proportional to the party's strength – about one-half that of the Republicans. With the agreement in place, the Federalist party continued to run candidates in for office until 1828. The presidential elections of 1824 and 1828, however, brought an end to this agreement, as well as to the Federalist party. A split developed in 1823 between Democratic Republicans who supported William Crawford

⁸ Martin Van Buren to Thomas Ritchie, 13 January 1827, cited in James W. Ceasar, Presidential Selection Theory and Development (Princeton: Princeton University Press, 1979), 138; Archie Baxter, ed., General Index to the Laws of the State of New York, 1777-1901, Both Dates Inclusive 3 vols. (Albany: J.B. Lyon Co., 1902), 2: 234. Van Buren's views on the necessity of political parties have been written about extensively. See Remini, Van Buren, in its entirety, Ceasar, Presidential Selection Theory, 123-69, and Michael Wallace, "Changing Concepts of Party in the United States: New York, 1815-1828," American Historical Review 74 (December 1968): 453-91.

and those who backed John Quincy Adams. Adams won Maine's electors easily, but many Republicans became disenchanted with his presidency and fought even harder to remove him from office. In 1828, the disenchanted began identifying themselves with the Jackson party and formed an alliance with the remnants of the Federalist party. In that election, Adams still won every district in the state, but this time by a smaller margin. Historian Richard McCormick concluded, “. . . the split that occurred in the 1828 presidential election was to be decisive The two new parties had become established.”⁹

The movement toward changing the selection of presidential electors from the district mode to the general ticket system can be traced to the desire of both parties to solidify the state's power behind one candidate or another, especially in light of the closeness of the 1828 campaign. Additionally, state lawmakers were concerned that dividing the state's electoral vote would weaken its impact on the national contest. The issue was taken up in February 1832, when both state houses created a special joint committee to analyze the issue, as well as that of congressional reapportionment. The committee issued its report recommending the switch. Chairman Nathaniel Groton, writing for the committee, concluded:

⁹ American Patriot, 19, 26 January 1828, 13 September 1828; Kennebec Journal, 11 July 1828; McCormick, Second Party System, 54. For an excellent account of the development of political parties and alliances in Maine, see Ronald F. Banks, Maine Becomes a State: The Movement to Separate Maine from Massachusetts, 1785-1820 (Middleton, Conn.: Wesleyan University Press, 1970), Charles E. Clark, Maine (New York: W.W. Norton, 1977), 74-90, and Kenneth T. Palmer, G. Thomas Taylor and Marcus A. Librizzi, Maine Politics and Government (Lincoln: University of Nebraska Press, 1992), 80.

One state after another has abandoned the District system in the choice of electors until Maine is believed to be the only State in the Union which adheres to this ancient custom. Maryland, New York, New Hampshire and our parent State have with great unanimity adopted the general ticket system, in the choice of Electors. Indeed it seems to be the policy of all the States to present an undivided electoral ticket in favor of some one individual for President of the United States.

Governor Samuel Smith, a Jacksonian, signed the resolution, and Maine proceeded to give its ten votes to President Jackson in 1832.¹⁰

Delaware's change from selection of electors by the legislature to popular selection on a general ticket had little to do with party competition. Instead, the change was a result of a broadening of suffrage rights instituted as a result of a general constitutional convention in 1831. Politics in Delaware had been, and remained, unchanged from the 1790s. McCormick described the general political atmosphere succinctly:

Delaware was distinguished above all other states for the stability of its politics. Parties were formed early, developed efficient organizations, competed vigorously on a remarkably equal basis, and exhibited amazing durability. For more than half a century political alignments established in the 1790's underwent little change; even in the Jackson era the transition from old to new party alignments was accomplished smoothly.¹¹

Roughly speaking, Delaware was divided geographically as far as party allegiances went. The northern county of New Castle leaned heavily Democratic-Republican, and later supported the Democratic/Jacksonian party. New Castle was

¹⁰ Civil Government for the State of Maine for the Political Year 1832, 392-93. It should be noted that Maryland did not actually abandon the district system until 1833, immediately after the presidential election. New Hampshire adopted the general ticket in 1804, New York in 1829, and Massachusetts in 1824.

¹¹ McCormick, Second Party System, 147.

mostly industrial, with a large Scotch-Irish, Presbyterian population. The state's other two counties, Kent and Sussex, were agricultural regions that habitually elected Federalist, then National Republican, candidates. Although some prominent Federalists such as Louis McLane and James Bayard switched to the Democratic party, for the most part the geographical split remained the same after 1824 as it was before. Indeed, McLane's split with his old Federalist companions appeared to be a result of the party's failure to support his favorite, Bayard, as his successor to the United State House in 1827 after McLane was elevated to the Senate. The presidential question in 1824 and 1828, then, had little effect on party development in Delaware.¹²

In 1831, the state legislature called for, and the voters approved, the meeting of a general convention to amend the state's constitution. During the convention, delegates recommended that several changes be made so that the state would be brought in line with the rest of the country. One change enacted was to switch the election date for state and national representatives from October to the "first Tuesday in November." Additionally, the voting provision that mandated voter eligibility be determined by "his father's qualification" was deleted. Henceforth, a voter's eligibility was based on "having paid tax and being otherwise qualified." Finally, the convention recommended, and the legislature ultimately passed, a provision giving the choice of presidential electors to the people on a general ticket. The liberalization of voting laws, times, and methods was a reflection of national trends and a desire on the part of Delaware

¹² McCormick, Second Party System, 148, 151, 153; Carol E. Hoffecker, Delaware (New York: W.W. Norton, 1977), 177-78; John A. Munroe, Federalist Delaware, 1775-1815 (New Brunswick: Rutgers University Press, 1954), 213, 239.

politicians to remain a viable, modern state at a time when its own population growth could not hope to equal that of its neighbors. The move toward a more democratic society throughout the country could not be ignored.¹³

Andrew Jackson's home state of Tennessee was one of the last to adopt the general ticket system, waiting until August 1832. This is somewhat ironic, given the President's support of the people's right to choose electors and his promotion of the general ticket system in general. Tennessee had used the district method of selection since 1804. Presumably, the Jacksonians were not afraid of losing any of the state's electoral votes in 1832, since in the previous two elections Jackson easily won each of the state districts. Governor William Carroll, though, was widely hailed as a reformer. Under his leadership from 1821 to 1827 and 1829 to 1835, many changes, both social and political, were enacted. "It was Governor Carroll, a spokesman for people who had little or no voice in government," Tennessee historian Robert Corlew concluded, "and not Andrew Jackson, who first brought 'Jacksonian Democracy' to Tennessee."¹⁴

Like many other states, personal factions and loyalties dominated Tennessee, with no evidence of party politics. Strictly adhering to the Jeffersonian Democratic-Republican party prior to 1824, politicians identified themselves with their relationship to the prominent men of the period. More often than not, political developments can be traced to the careers of these men, many of whom served as governor at one time or

¹³ Laws of the State of Delaware, 10 vols. (New Castle: State of Delaware, 1776-1852), 8: 72-4, 215-16.

¹⁴ Robert E. Corlew, Tennessee: A Short History, 2nd ed. (Knoxville: The University of Tennessee Press, 1981), 159.

another. The most influential were John Sevier, Archibald Roane, William Blount, Felix Grundy, and John Overton. Issues such as land disposition and Indian relations dominated the state legislature. This changed in 1820 because of the severe financial crisis that affected not only Tennessee but also the entire country in 1819. The gubernatorial campaign of 1821 revolved solely around the banking issue. Carroll, as well as other reformers, was swept into office, winning every county but two by decisive margins. At this time, the “aristocratic” Blount faction, of which Jackson was a member, was in disarray and Jackson’s political career seemed over.¹⁵

Carroll came to his position with an ambitious plan to reform state political and social institutions. The Jacksonians would later adopt many of these reforms, but the credit for the initiative belongs to Carroll, who eventually became part of the new Democratic party, easily bridging the gap that existed between the personal factions prior to Jackson’s ascension to party leadership. Some of Carroll’s reforms, enacted during his second stint in office, were establishing public schools in the state, constructing internal improvements such as ports, enacting banking reform, creating a system of taxation based on land value, mandating the election of county officials through popular vote rather than through legislative selection, and revising of the state’s penal code. Although there was no pressing need to change the state’s electoral law, Carroll joined Jackson’s call for

¹⁵ Tennessee Gazette, 2 June 1821; Thomas Perkins Abernathy, “The Origin of the Whig Party in Tennessee,” Mississippi Valley Historical Review 12 (March 1926): 504. Excellent accounts of the rise of Carroll can be found in Corlew, Tennessee, 126-44, Thomas Perkins Abernathy, From Frontier to Plantation in Tennessee: A Study in Frontier Democracy (Chapel Hill: The University of North Carolina Press, 1932), 182-93, 221-26, 233-34, and McCormick, Second Party System, 222-27.

reform, citing both the need to reflect the nationwide movement to the general ticket in order to keep the state's power intact and the seemingly more democratic nature of this system. Although Jackson's "dictatorial tactics made it extremely difficult . . . to maintain the ascendancy of the [Democratic] party in the state," no one opposed the change and few remarked on it at all.¹⁶

In the aftermath of Jackson's reelection, Maryland opted to join the rest of the states (except South Carolina) in adopting the general ticket method of choosing presidential electors. Although the state had used this system previously – in both 1789 and 1792 – the district plan had been in effect since the presidential election of 1796. Party politics did not play a large role in this decision. Unlike other southern and western states, Maryland had much more in common with middle states such as Pennsylvania and New York, where two-party competition had flourished since 1800. The loyalties that had been given to the old Federalist and Democratic-Republican parties were transferred to the new parties that formed behind Adams and Jackson after 1824, with many

¹⁶ Tennessee Assembly, Journal of the Senate, 1821, 86-99; Tennessee Assembly, Journal of the House, 1823, 9-15; Tennessee Assembly, Journal of the House, 1826, 173-74; Tennessee Assembly, Journal of the Senate, 1831, 69; Tennessee, Public Acts, 1831, 56; Tennessee, Public Acts, 1826, 18; Tennessee, Public Acts, 1832, 2-13. Some good sources for detailed information on Carroll's reforms and Jackson's role in the movement, see Abernathy, Frontier to Plantation in Tennessee, 234-35, Corlew, Tennessee, 159-76, Powell Moore, "James K. Polk: Tennessee Politician," Journal of Southern History 17 (November 1951), 493, and Thomas Perkins Abernathy, "Andrew Jackson and the Rise of Southwestern Democracy," American Historical Review 33 (October 1927), 60-70.

prominent Federalists like Roger Brooke Taney and Thomas Carroll entering the Jackson camp.¹⁷

The inequities inherent in Maryland's state government, where an electoral college chose senators, the legislature chose the governor and council, and the House of Delegates was chosen not through representational districts but by selecting four delegates from each county and two from each of the cities of Baltimore and Annapolis, became apparent and were loudly proclaimed as undemocratic in 1831. The real impetus for change came from the publication of the 1830 national census figures. Maryland historian Robert Brugger explained:

They showed that about one-fourth of the population elected a majority of legislators. Two senators and two members of the House of Delegates spoke for the 80,000 residents of Baltimore, whose level of representation had not changed since the city population stood at 26,000. Annapolis, a normally quiet town of several thousand, sent the same number to the State House. Spokesmen for the older counties tightly guarded the apportionment of delegates (four per county, regardless of population) and senators (six for the Eastern Shore, nine for the Western); they defended the practice of electing one federal senator from each shore and governors from either the Eastern Shore or the lower Western Shore. John McMahon in his Historical View of the Government of Maryland, published in 1831, noted that "shore jealousies" and twin government offices had given Maryland "the character of a confederacy of two shores" rather than the integrity of an ordinary state.

Faced with popular unrest in the face of under-representation, Maryland began to reform

¹⁷ McCormick, Second Party System, 154-55, 161-63. An excellent account of the development of the Democratic party in Maryland can be found in M.H. Haller, "The Rise of the Jackson Party in Maryland, 1820-1829," Journal of Southern History 28 (August 1962): 301-326.

its selection process for governmental offices, giving the people the right to choose state officers through districts.¹⁸

The adoption of the general ticket as a means of selecting presidential electors was only a small part of political reform in Maryland and was based solely on the argument of maintaining the state's power in electing the president relative to the rest of the nation. The preamble of the law stated:

WHEREAS, the manner of appointing electors of President and Vice President, of the United States, by a general ticket, as directed by the legislatures of a large majority of the states, has the effect of giving the whole electoral vote of each of those states, to one person, for each of this important offices; and the mode adopted and long used in the state of Maryland, of electing in separate districts of the state, one or at most two electors from each district, results in all cases of contest in giving a divided vote to the candidates for the highest offices in the government, and the majority of the citizens of Maryland are thereby deprived of their just weight in the choice of the Chief Magistrate, as compared with the majority of the citizens of most of the other states,¹⁹

Although neither party explicitly stated that they supported the change for political reasons, one can surmise that they hoped the outcome would aid their party in the presidential election of 1836. In 1832, the state was divided almost equally, with Jackson winning three electoral votes and Clay five. More important, both candidates received approximately 50 percent of the popular vote – Jackson with 19,156 and Clay with 19,160. The prospect of winning all the votes despite the closeness of the two parties had to appeal to the party faithful.

¹⁸ McCormick, Second Party System, 155; Robert J. Brugger, Maryland: A Middle Temperament, 1634-1980 (Baltimore: The Johns Hopkins University Press, 1988), 228.

¹⁹ Laws of Maryland, 1833, Chapter 261.

Debate concerning the choice of presidential electors did not end with Maryland's decision to adopt the general ticket system. Congress once again took up the issue at the beginning of 1835, after repeated requests from the president. Jackson remained constant in his support for a constitutional amendment creating a popular election, stressing the necessity of changing the system in every annual address to Congress while he was president. Like every other year, in December 1834 the president devoted part of his State of the Union message to the issue. "All the reflection I have been able to bestow upon the subject increases my conviction that the best interests of the country will be promoted by the adoption of some plan that will secure in all contingencies that important right of sovereignty to the *direct control of the people*," Jackson proclaimed. "Could this be attained . . . I think our liberties would possess an additional safeguard." Acceding to his wishes, Congress revisited the issue.²⁰

On 9 December 1834, Speaker of the House John Bell mandated the formation of a select committee to study the issue. Meeting throughout the months of December and January, the members were unable to come to any agreement on how an amendment should be structured. Frustrated, Chairman George Gilmer of Georgia asked that the committee be dissolved. Gilmer felt strongly about the issue, however, and was not about to let it die. Men who were favorable to a Van Buren candidacy in 1836 had stymied Gilmer, a Hugh Lawson White supporter, with repeated objections while in committee, so he decided to bring the issue forward on his own. He wrote and presented

²⁰ Richardson, Compilation of Messages, 3: 1336 (italics are mine). For Jackson's requests that Congress consider an amendment changing the electoral system, see Richardson, Compilation of Messages, 3: 1081-82, 1168, 1253, 1395-96, and 4: 1478.

a joint resolution reminiscent of the proposal in Jackson's first inaugural address. The resolution called for abolishing the Electoral College, but keeping the individual state's electors. The governor, after certifying the election returns, would award that state's electoral votes to the candidate who won the popular vote. No electors would meet to actually cast a vote for the president and vice president. In the event that no candidate won a majority of electors, a second contest between the two leading candidates would be held the first Tuesday in December. The House of Representatives would not get involved unless neither candidate in the second election was able to obtain a majority of the electoral vote. Only then would the House choose the president. Additionally, under this new system, the president would be limited to one six-year term and be ineligible for reelection.²¹

The Democratic party was deeply divided on the issue, but those who opposed passage of the amendment could not do so on its merits since the nominal head of the party, Andrew Jackson, supported it. Acting on Van Buren's wishes (he saw no point in changing from the general ticket, the method he had pursued since 1824), enough Democrats voted against the proposal to defeat its passage. To be sure, most said that they supported some type of reform, but did not believe there was enough time to address the issue adequately. Even James K. Polk, the administration's spokesman in the House who had made his first speech in Congress on the merits of amending the Constitution in

²¹ Journal of the House of Representatives, 23rd Cong., 2nd sess., 31 January 1835, 294, 297-98, 13 February 1835, 377-78, 25 February 1835, 453-55; Register of Debates, 23rd Cong., 2nd sess., 1126-27, 1497.

order to reform presidential elections, was hesitant to support the idea. He refused to actively campaign for its passage. In the end, the proposal was left on the table.²²

The truth of the matter was that Andrew Jackson was a lame duck in 1835 and his party was split over the choice of his successor. Although the General supported Van Buren's candidacy, many southerners did not like him and sought to deny Van Buren the party's nomination. Once again, politics rather than conviction proved more important. Jackson's support of Van Buren, at least in terms of electoral reform, seems odd. Van Buren promoted the general ticket system and was loath to change. To him, the system as it existed promoted party unity and the public good. Jackson seemed to hold the opposite opinion. As he wrote in his last State of the Union Address,

I felt it my duty in the first message which I communicated to Congress to urge upon its attention the propriety of amending that part of the Constitution which provides for the election of the President and Vice-President of the United States. The leading object which I had in view was the adoption of some new provisions which would secure to the people the performance of this high duty without any intermediate agency. In my annual communications since I have enforced the same views, from a sincere conviction that the best interests of the country would be promoted by their adoption. . . . All history tells us that a free people should be watchful of delegated power, and should never acquiesce in a practice which will diminish their control over it. This obligation, so universal in its application to all the principles of a republic, is peculiarly so in ours, where the formation of parties founded on sectional interests is so much fostered by the extent of our territory. These interests, represented by candidates for the Presidency, are constantly prone, in the zeal of party and selfish objects, to generate influences unmindful of the general good and forgetful of the restraints which the great body of the people would enforce if they were in no contingency to lose the right of expressing their will. The experience of our country from

²² Register of Debates, 23rd Cong., 2nd sess., 1501-04, 1525-32; Sellers, James K. Polk, 267-68.

the formation of the Government to the present day demonstrates that the people can not too soon adopt some stronger safeguard for their right to elect the highest officers known to the Constitution than is contained in that sacred instrument as it now stands.²³

These divergent views illustrate the political nature of electoral reform and mirror the changes that took place between 1824 and 1833. On the one hand, there existed a great desire to democratize the political processes throughout the country. On the other, many wanted to ensure the opportunity to employ political manipulation to guarantee victory by whatever means necessary. For a brief time the two coincided and produced change in the electoral process. By 1835 the unity between the two impulses had disappeared, and the desire to assure political maneuvering gained the upper hand.

²³ Richardson, Compilation of Messages, 3: 1395-96.

CHAPTER 7

CONCLUSION

The Electoral College and Jacksonian Democracy are two subjects that have been studied extensively. Taken together, however, little has been written on how the method of choosing presidential electors during the Age of Jackson changed. Although many historians have written on the development of political parties and the increase in voter participation during this time, none has focused on how politicians sought to use the method of selecting electors to further party development in the country. Between 1824 and 1832, twelve states – one-half of those participating in presidential elections – changed their methods of choosing electors. Two states, New York and Missouri, changed twice, and a third, Maryland, amended its voting laws immediately following the 1832 election. In almost every case, the reason for changing methods of elector selection was largely political but was promoted in terms of advancing democracy. A careful study of the movement toward selecting electors on a general ticket shows that political considerations in terms of party and/or state power were much more important than promoting democratic ideals. Despite the presence of a few true reformers who consistently pushed for a constitutional amendment guaranteeing that all states used the same method, the conclusion must be that politics and party demanded a change.

**TABLE 10. STATE METHODS OF CHOOSING ELECTORS BY
ELECTION, 1824-1832¹**

State	1824	1828	1832
Alabama	General Ticket	General Ticket	General Ticket
Connecticut	General Ticket	General Ticket	General Ticket
Delaware	Legislative Selection	Legislative Selection	<i>General Ticket</i>
Georgia	Legislative Selection	<i>General Ticket</i>	General Ticket
Illinois	Electoral Districts	<i>General Ticket</i>	General Ticket
Indiana	<i>General Ticket</i>	General Ticket	General Ticket
Kentucky	Electoral Districts	<i>General Ticket</i>	General Ticket
Louisiana	Legislative Selection	<i>General Ticket</i>	General Ticket
Maine	Electoral Districts	Electoral Districts	<i>General Ticket</i>
Maryland	Electoral Districts	Electoral Districts	Electoral Districts
Massachusetts	General Ticket	General Ticket	General Ticket
Mississippi	General Ticket	General Ticket	General Ticket
Missouri	<i>Electoral Districts</i>	<i>General Ticket</i>	General Ticket
New Hampshire	General Ticket	General Ticket	General Ticket
New Jersey	General Ticket	General Ticket	General Ticket
New York	Legislative Selection	<i>Electoral Districts</i>	<i>General Ticket</i>
North Carolina	General Ticket	General Ticket	General Ticket
Ohio	General Ticket	General Ticket	General Ticket
Pennsylvania	General Ticket	General Ticket	General Ticket
Rhode Island	General Ticket	General Ticket	General Ticket
South Carolina	Legislative Selection	Legislative Selection	Legislative Selection
Tennessee	Electoral Districts	Electoral Districts	<i>General Ticket</i>
Vermont	Legislative Selection	<i>General Ticket</i>	General Ticket
Virginia	General Ticket	General Ticket	General Ticket

The efforts to adopt the general ticket mode of elector selection can be broken into four distinct phases. The first phase occurred during the 1824 election, before the second two-party system had fully developed. Electoral laws were changed, or

¹ Italics represent those states that changed their method of selection of presidential electors for that election year.

controversially kept, in an effort to garner a win for one of five candidates from the same party. Following the confusion of the 1824 election, politicians sought a remedy to the perceived political intrigue through amending the Constitution in order to mandate uniform elector selection throughout the country. The third phase took place at the time of the 1828 election, as the newly created Democratic party sought to join and solidify a diverse group of individuals behind one presidential candidate. And, finally, the last phase took place after the two-party system was again in full operation and states looked to maintain their power in the election process.

Efforts to manipulate the selection of presidential electors first appeared during the contentious elections of 1796 and 1800. At that time, the first two-party system, where Democratic Republicans and Federalists vied for power, had become entrenched in American politics. After the demise of the two-party system following the War of 1812, most states gave little thought to how electors were chosen. A small group of politicians at the national level sought true reform through amending the constitution, but their efforts failed. For most of James Monroe's presidency, then, there was almost no discussion of how the president was elected. This changed in 1824, when the Democratic-Republicans could not agree on one candidate for the nation's highest office. During the campaign before this election, three states, Alabama, Indiana, and Missouri changed their method of selecting presidential electors, and New York kept its mode of legislative selection after a great deal of controversy.

Of the four states, only one, Alabama, did so for purely democratic reasons. Governor Israel Pickens had long been an advocate of the general ticket method and had

been a leader in pushing for a constitutional amendment throughout the first term of the Monroe administration. In Indiana and Missouri, local factions dictated change in order to give favorite candidates as many electoral votes as possible. Although the leading advocates for change in both states, Elihu Stout in Indiana and Thomas Hart Benton in Missouri, always spoke in terms of promoting democracy, both were strong advocates of Andrew Jackson and Henry Clay, respectively, and used their positions to promote those candidacies. New York kept its method of selection despite the fact that state politicians, led by Martin Van Buren, had campaigned the previous year on a platform of giving the people the right to choose their president. When it became apparent that William Crawford had no chance without New York's thirty-two votes, the Van Buren-led Bucktails reversed their position on elector selection. In three of the four states, then, politics more than democratic ideology dictated policy.

The election of 1824 was important to the issue of elector selection. The disputed outcome and the perception of intrigue led to the formation of the second two-party system. The Democratic party that formed around General Jackson made electoral reform a major issue for the next four years, advocating change at both the state and national level. Also, because many state delegations in the House of Representatives disregarded the apparent will of the people and gave the election to John Quincy Adams who had not led in either the popular or the electoral vote, the people began to question the legitimacy of the system. As both parties prepared for the 1828 rematch, they began lining up state electoral votes, keeping in mind that a majority was needed for a win. The

general ticket, giving one candidate all of the state's electors, was seen as more desirable than a district system where the vote could be split between two candidates.

The issue of electoral reform was addressed first at the national level, where once again the call for a constitutional amendment was heard. For three years, leaders of the Jacksonian Democrats pushed for an amendment that would give the vote to the people and remove the House of Representatives from the election process. Although no amendment proposal came close to passing, the Democrats were able to keep the issue before the American public, reinforcing the perception that the election had been stolen from Jackson and the people. This, in turn, helped reinforce the efforts of the party, at the state level, to change electoral laws

Of the seven states that changed their mode of selection of electors for the 1828 presidential election, six did so for purely political reasons. The state legislatures in Louisiana, Missouri, Illinois, and Kentucky, citing the outcome and intrigue of the 1824 elections, all adopted the general ticket. Georgia, also adopting the general ticket, did so only to curry favor with Jackson. New York's adoption of the district system came about as a result of the Bucktails' manipulations in 1824. Only Vermont, a solid Adams state, appeared to have adopted the general ticket for democratic reasons. It was passed with little fanfare, a small part of a revision of state voting laws. In general, those states that adopted a new method did so for party purposes. It is not coincidence that of those seven that changed, six gave all – or in New York's case, a majority – of its electors to Jackson. Nor is it coincidence, that in four of those states that adopted the general ticket – Louisiana, Missouri, Illinois, and Kentucky – the state delegations in the House of

Representatives had ignored the people's will and given the state's vote to Adams in 1825 House election. The combination of party pressure and political intrigue led to major changes in the selection of the president in 1828.

The presidential election of 1832 marked the last phase of change in elector selection. Four states – New York, Maine, Delaware, and Tennessee – all adopted the general ticket method in time for this election, and Maryland did so immediately after the results were announced. Only two of the five states, Delaware and Tennessee, made this change as a result of democratic reform. The others did so in order to keep the state's electoral vote whole. By 1832, it had become apparent that politicians and parties preferred the general ticket method. A state that delivered its entire vote to one candidate would play a more important role in the election than a state that split its vote proportionally. Indeed, the Maine and Maryland legislatures boldly cited this very reason in adopting the general ticket. By 1833, every state in the Union used a winner-take-all method of elector selection.

Those who advocated change throughout this eight-year period always spoke as advocates of giving the people the right to choose their president. Democracy became an important word in the vocabulary of the successful politician. The adoption of the general ticket throughout the country – except in South Carolina where electors were chosen by the state legislature until after the Civil War – was of great benefit to party formation and fit comfortably within the concept of states' rights. Whether or not this change was really democratic, though, depends on perspective. Undeniably, allowing the populace to vote directly for presidential electors was a giant leap toward democratic

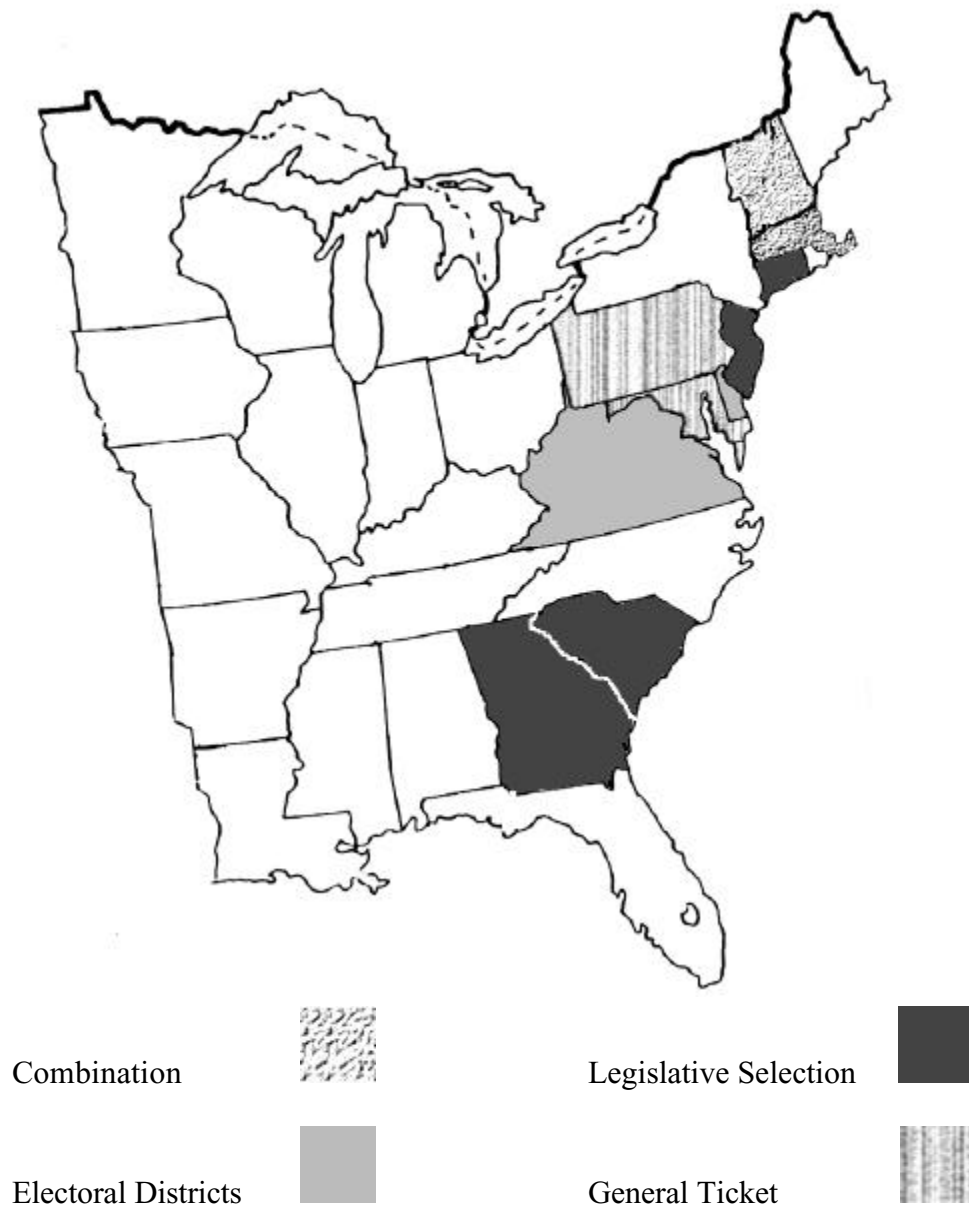
selection of the nation's highest officer. No one can deny that popular selection of presidential electors was much more democratic than legislative selection. And, it is true that as voters were given a direct say in presidential electors, popular participation in presidential elections increased relative to population increase between 1824 and 1832. A cursory view would, indeed, lead one to conclude that this was part of a great movement toward democracy. This conclusion, by itself, would be false.

The motivation for adoption of the general ticket was not the promotion of democracy but, instead, the promotion of party and state power. True democratic reform would have been the adoption of either the district system or some other kind of proportional scheme where the electoral votes were divided between the candidates. This type of scheme would have provided for a better representation of the public's will. Andrew Jackson, not known as a reformer, advocated such a scheme for eight years, calling on Congress and the states to amend the Constitution and eliminate the Electoral College in its current form. Leaders of his party declined to do so. True democratic reform would have weakened the party and state power in the selection process. The Democratic party, the party that had formed around Jackson and that had been the foremost proponent of electoral reform when it was out of power, quietly dropped the issue when it gained control of the government. Martin Van Buren, James K. Polk, and Thomas Hart Benton, all of whom had at one time called for constitutional amendments, abandoned the cause in 1835, when they were at the height of their power. The system that had been adopted suited the party's needs.

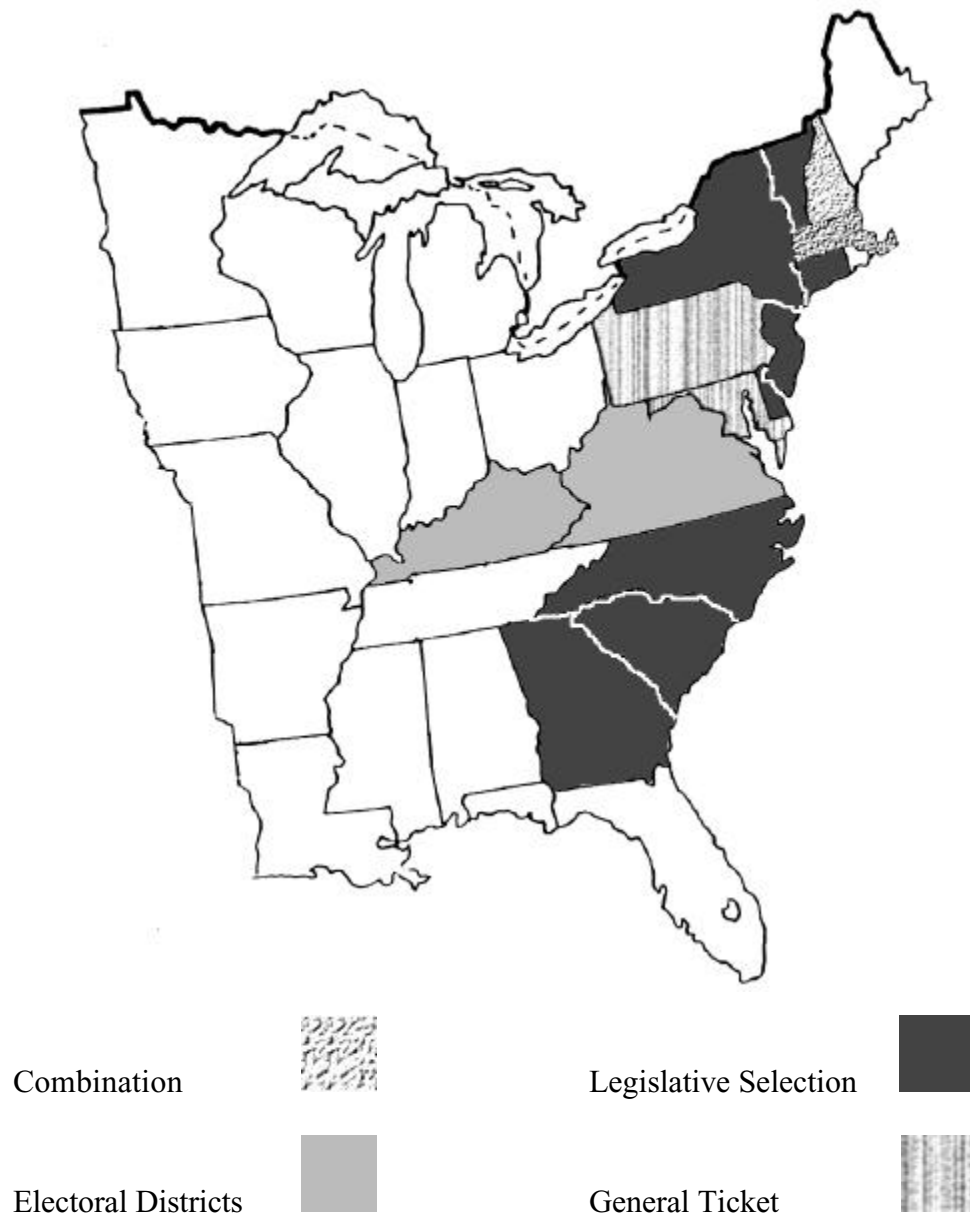
APPENDIX

METHODS OF ELECTOR SELECTION BY ELECTION

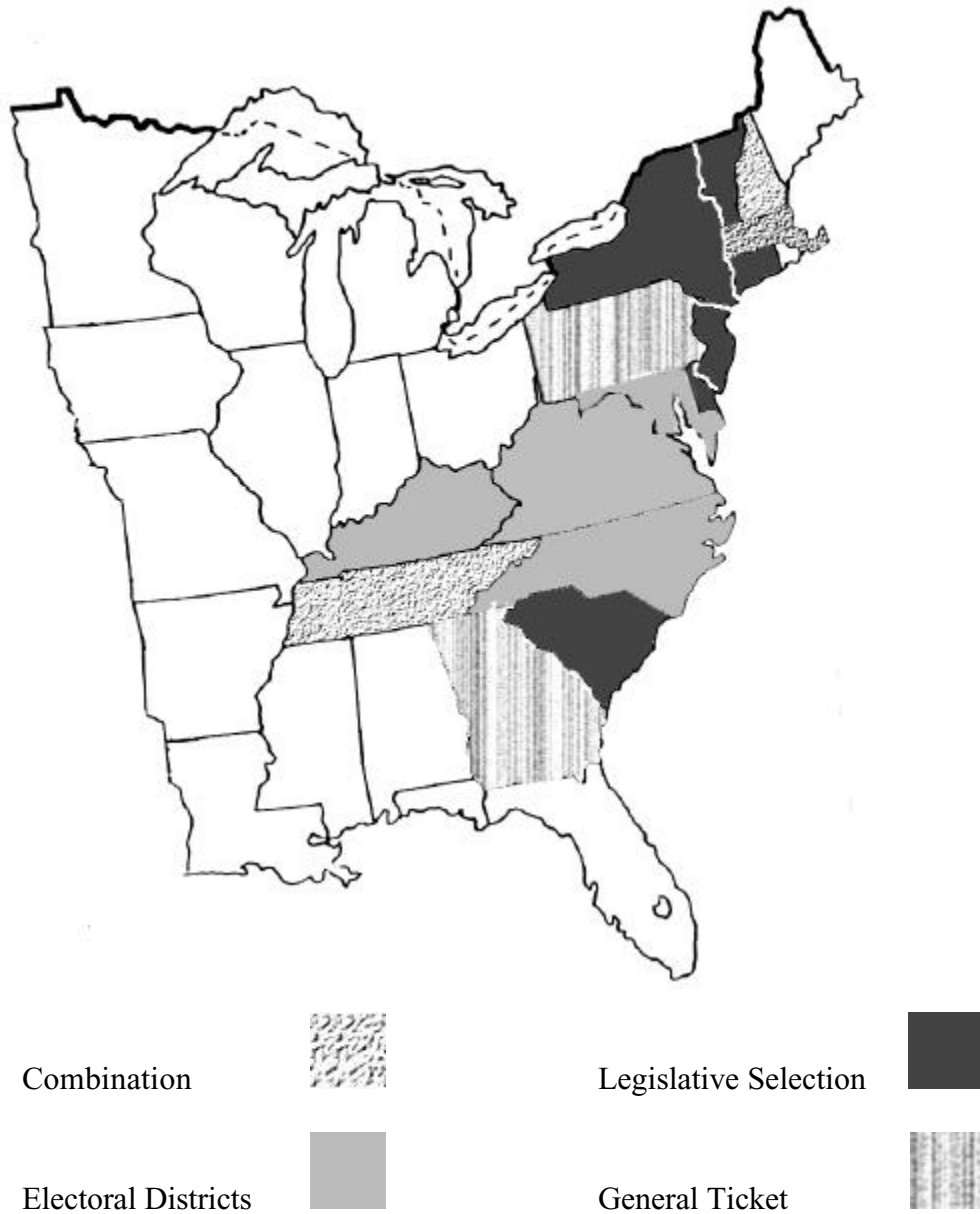
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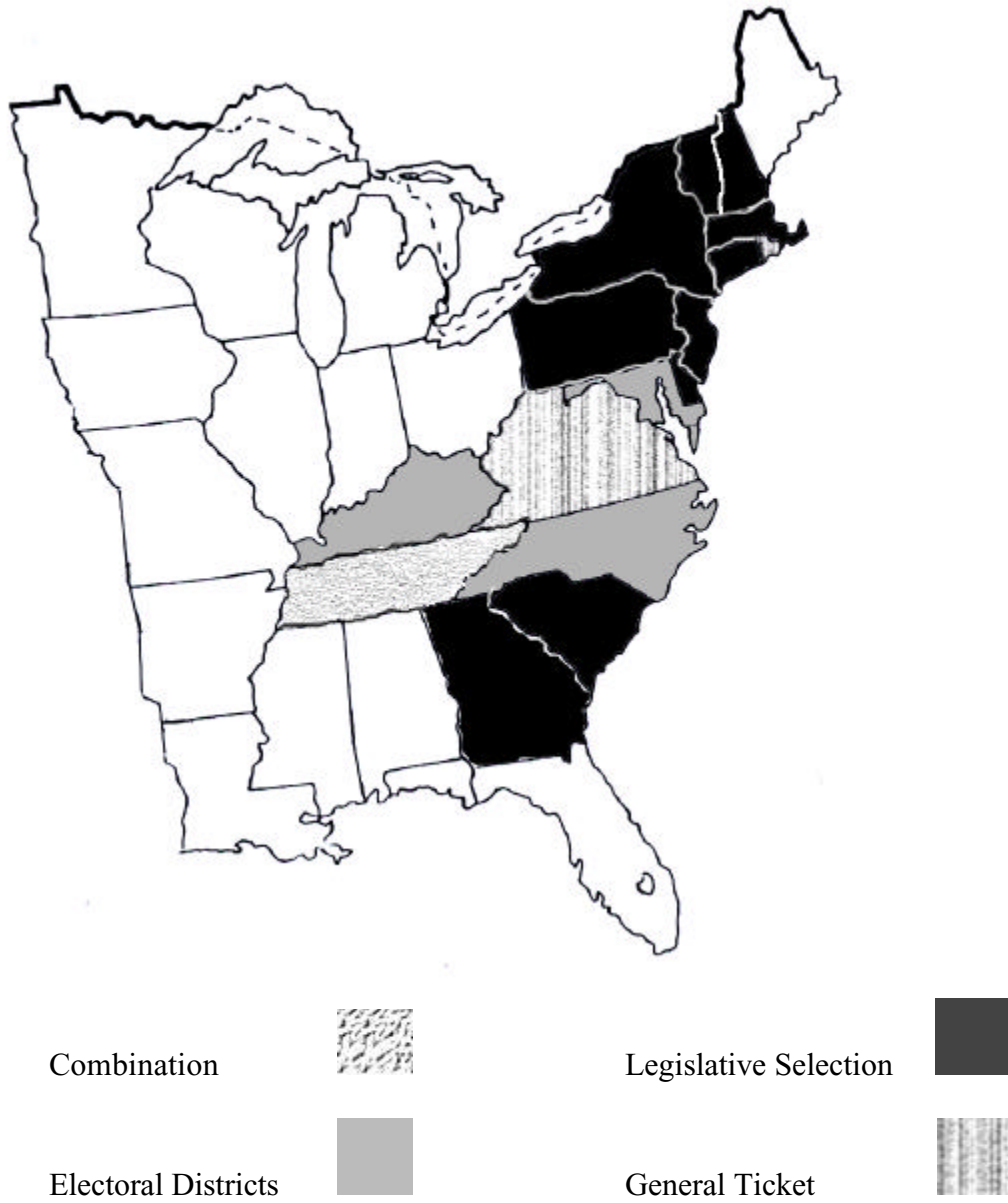
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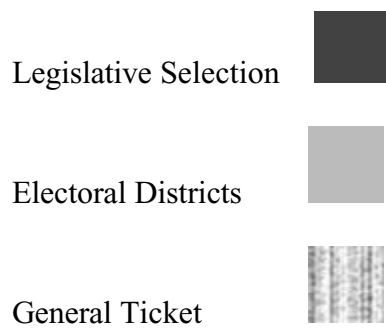
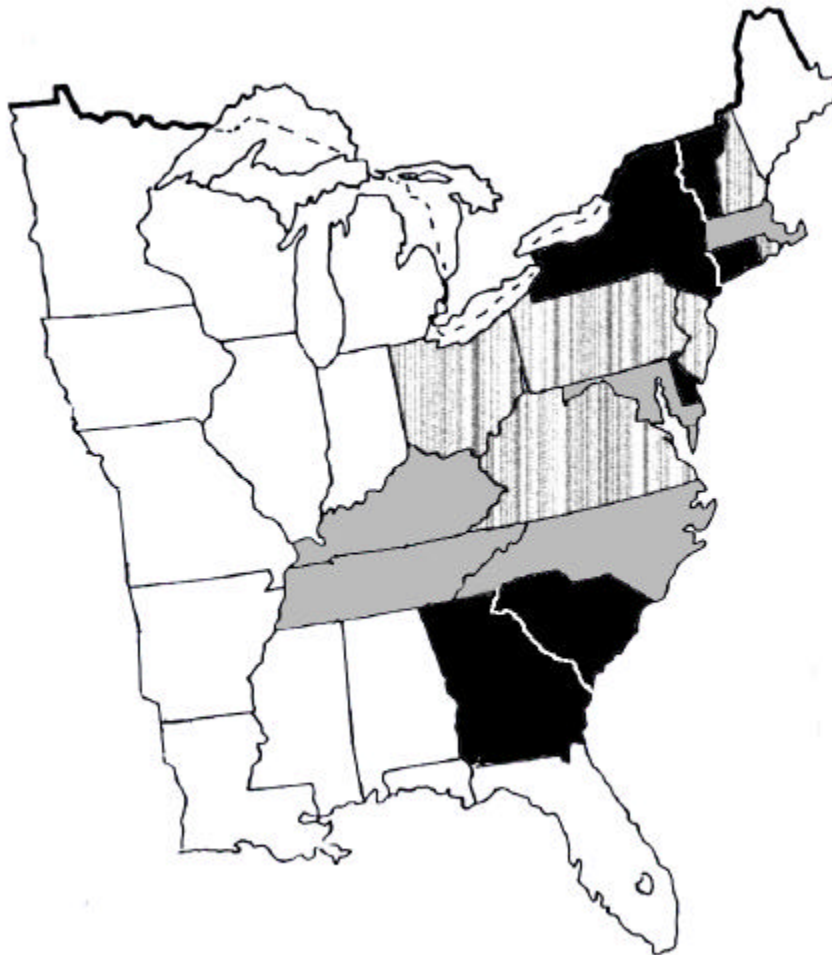
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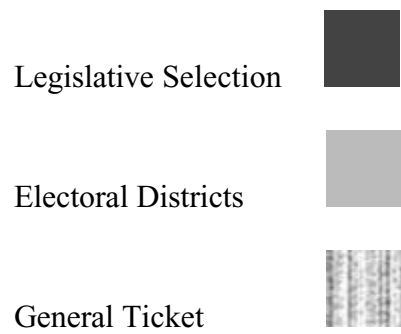
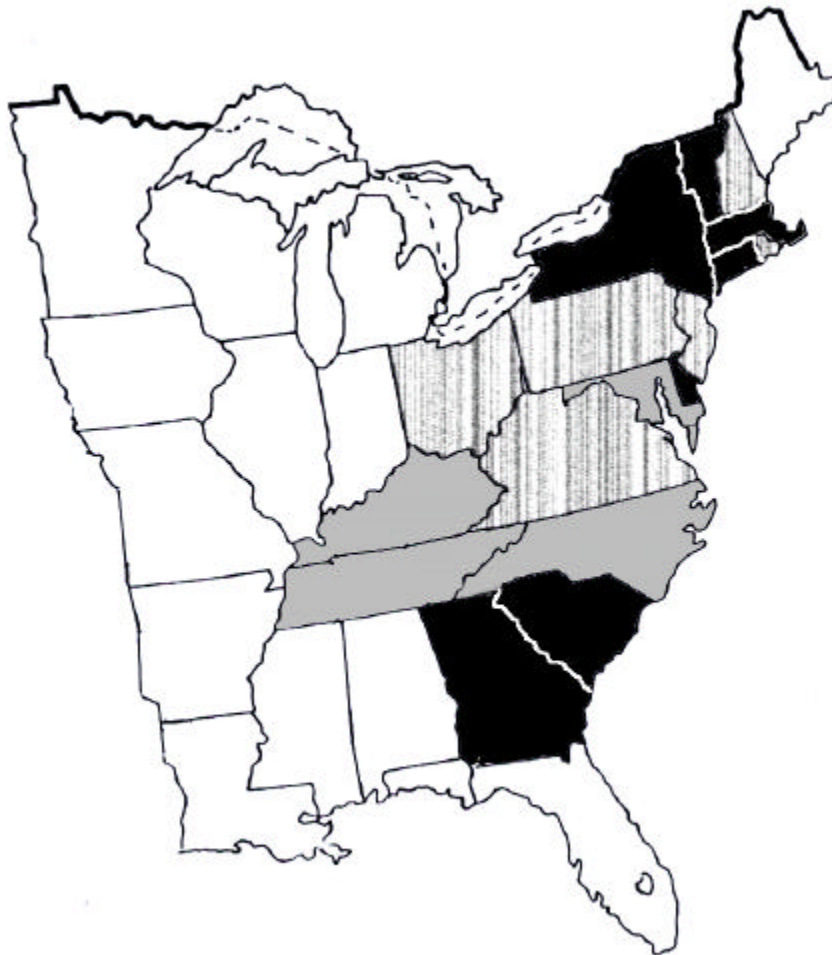
Election of 1800



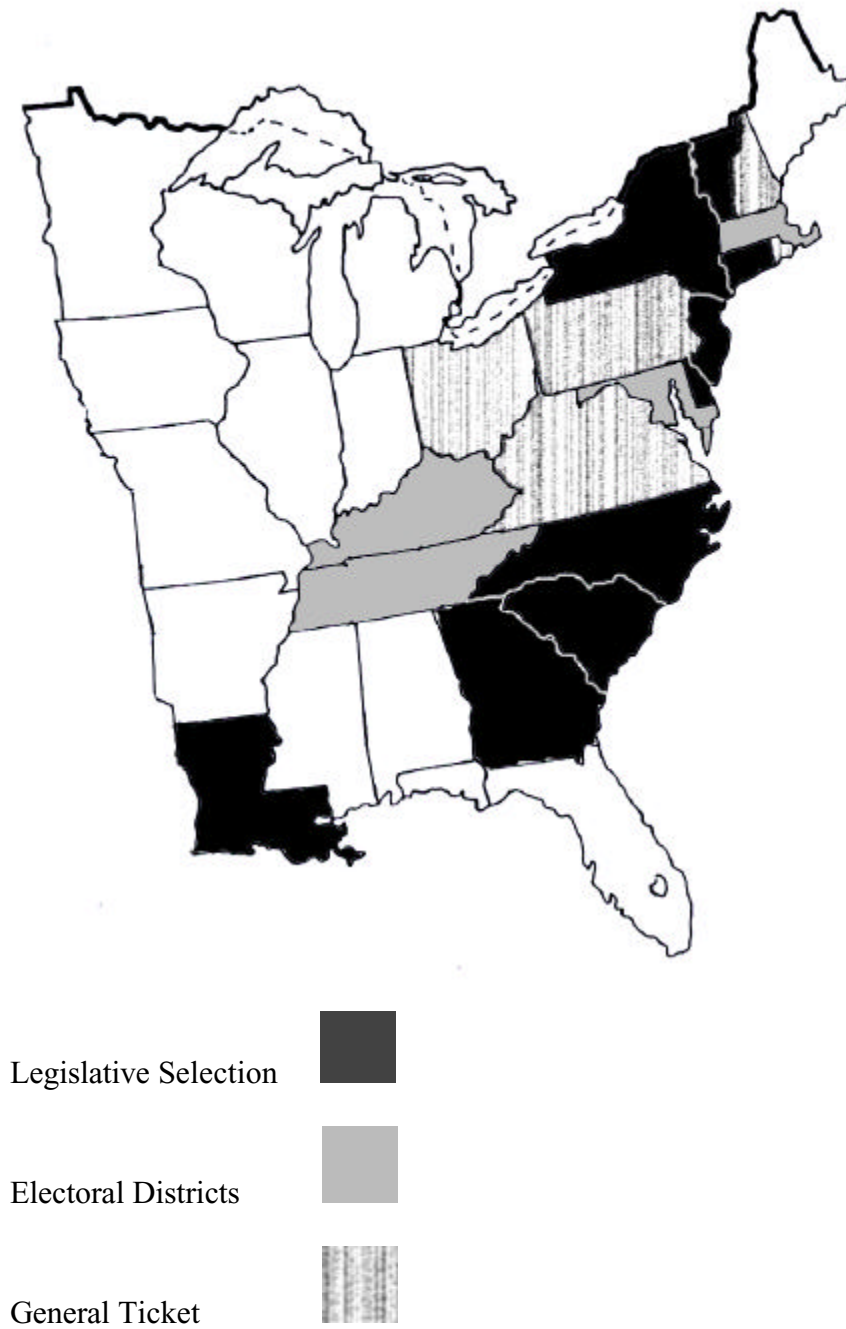
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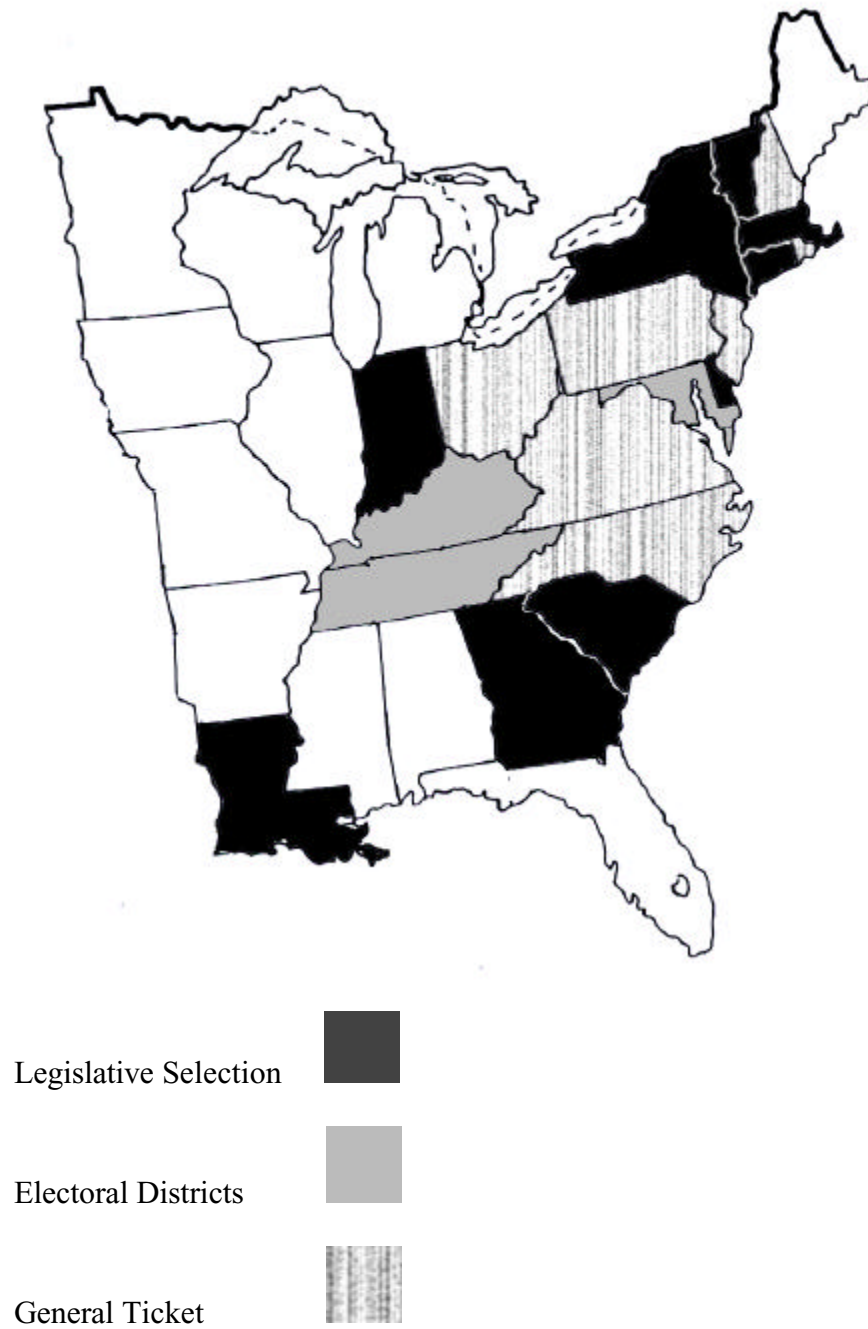
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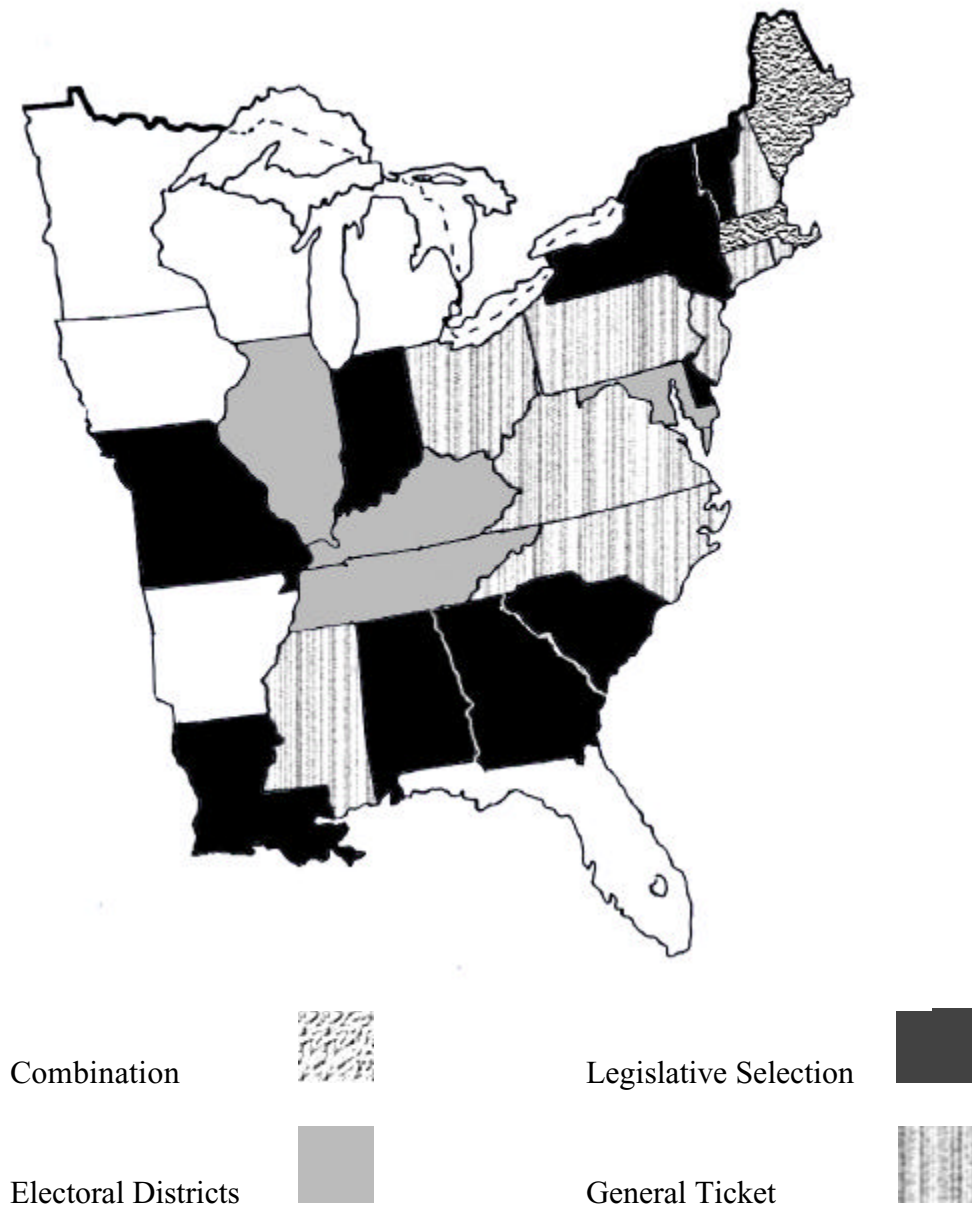
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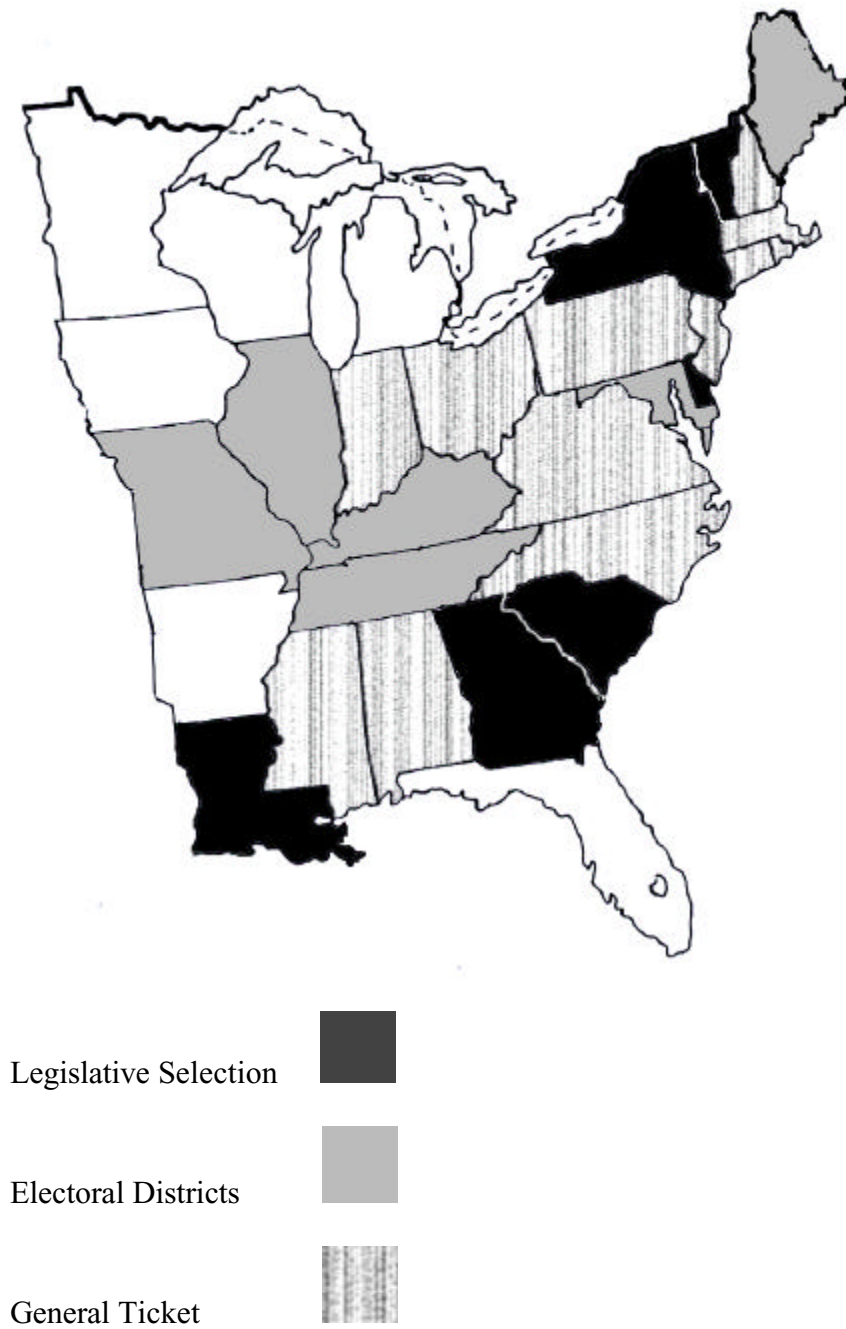
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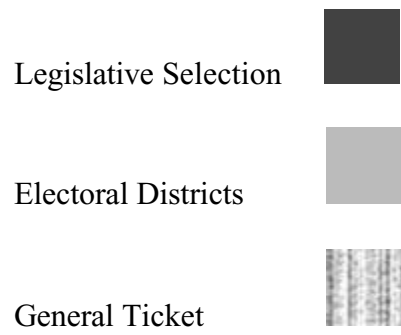
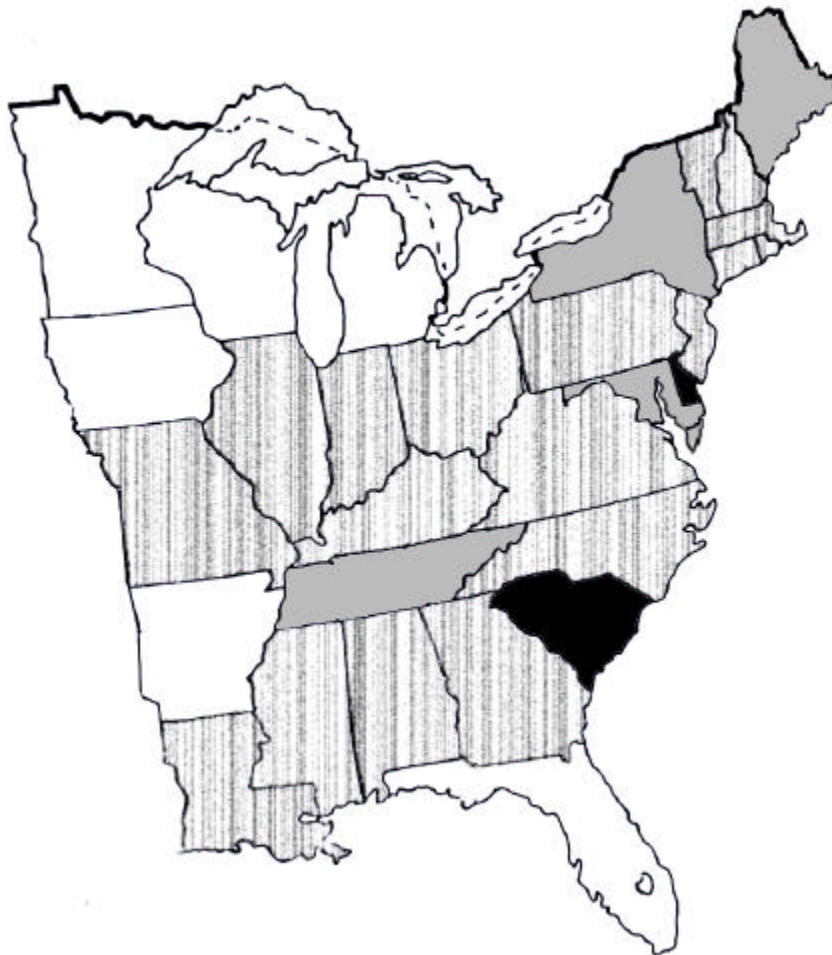
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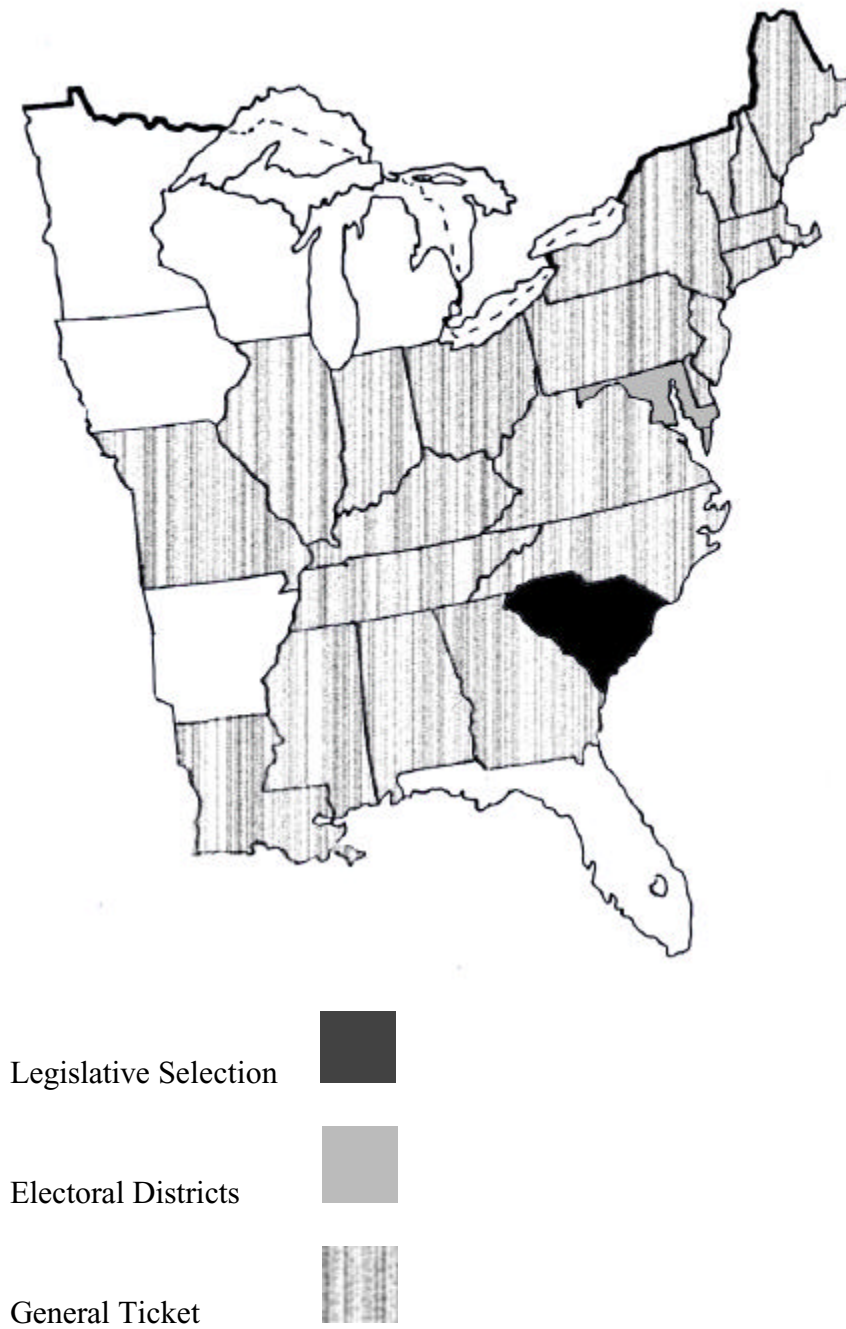
Election of 1824



Election of 1828



Election of 1832



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Independent Patriot

Kennebec Journal

Lexington Kentucky Gazette

Louisiana Gazette

Louisiana Journal

Massachusetts Spy

Missouri Intelligencer

Missouri Republican

National Aegis

National Intelligencer

New York American

New York Daily Advertiser

New York Evening Post

New York Statesman

Niles Weekly Register

North Star

Patriot

The Patriot

Raleigh Register, and North Carolina Gazette

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